App. F. IX-4

193 /. (Law

File No. 16-31

Serial Nos. 1—9

Previous References
Imux 210-26-1—7
96-28-1-1-2 & 3-4,

Later References.
Law Dep 21
Law 88-34

(162)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 Secret

Part B for September 1934

SUBJECT.

Re. proposed issue for recovery of Kalasa Collections at Mahamastakabhisheka of Saravanabelagola

WD 01965—GPB—15,000—7-7-

Dr. Ubeid Azeez
18-9-34.

General and Revenue Secretariat — File No. 16 of 193 31

Serial No.	
1	Letter no 42 A 18.7.1931 from the Government Advocate Stating That instructions may be issued to the Public Prosecutor Mysore to take necessary action for the recovery of amount collected on the occasion of the last Maha-Mastakabhisheka - Sravanabelagola and file the suit immediately in consultation with the Muzrai Commissioner and the Deputy Commissioner Hassan District 1) This is a matter which has been taken in the Law Secretariat. If agreed The file will be transferred to that dept PS 21/7 2) Yes VS 21.7.31 3) A draft letter to P.Pr Mysore to prepare a plaint under instructions from the Muz Com & DC Hassan is put up for approval Chief Secy DM 22/7 4) Issue today DM 24/7 Issued vide P 100 dt 25.7.31 5) Muz Br for perusal & return DM

Mr TSV
Please put up the refer if any in the Law Secretariat on this subject
DM 21/7

ref: a trouble in the Section. opinion is ... in the Muz. file 96-30

NOTE—Contn. Sheet.

WD 02553—G P B—50,000—8-7-30

To
TSV 28/6

Law File No. 16 of 193 | General and Rev Secretariat

b) After perusal, the file will be returned to Law Secty—

4-8 MSK 28/7 H. Secy) VS 31.7.31

7) h 1/8 VS

8 MSK Law Secty)

Sec A
Pony
1/8

Dated 3rd Oct 1931 from the Pbr. Mysore informing that information is lacking on certain points, and that he has addressed the Amildar of Chennarayapatna to record the statement of the agent of the Mutt.

Pbr. Mysore was instructed to prepare a dft plaint after obtaining necessary information from the Chief Commr and the D.C. Hassan

Sec A for perusal

TSD 6/10

The Pbr's letter does not state what information he has called for from the Amildar & how it goes to the root of the matter.

A further report from him may be called for

Dft is put up for

TSD 7/10 14) Issue the draft D.O. permit.

7.10.31

Issued vide P. 2017 dt 7-10-31

TYPING SECTION 7. OCT. 1931 GENL. & REV SECTT.

Sec A

TSD 8/10 [illegible]

Serial No.

D.O. no. 162 dated 11th Oct 1931 from the PPr Mysore forwarding a copy of the letter addressed to the Amildar Chennarayapatna and explaining the facts on which he wants to make himself clear before drafting the Rlw

15) The facts for Consideration are explained in para 3rd of the P.W.D He want to discuss the matter with H. Secy also further report may be awaited

ISD 16/10.

16) Please put up Mem 210-26 (1101)

17) Mem. 210-26 is put up

ISD 17/10.

BDG 16/10

18) Issue the D.O. reply put up

BDG 17/10.

To

The PPr Mysore

D.O. No. P. 2267 dated 19.10.31 requesting to move a reference urgently upon the information called for from the Amildar Chennarayapatna in

Letter no 314 dated 31.10.31 from the Pbr. Nellore suggesting to instruct the Dist. Mag. to issue a notice to Mr. Lakshmi and record his statements on the matter in the P.O. dated 9th Feb 1931.

Mr. Lakshmipathaiya is said to be in possession of volumineous relating to Mahamastakabhisheka, the full information required Pbr. Suggests that a notice may be issued by the Dist. Mag. office.

The Mag. Comm^r is put up for Comm^ds

The main point for consideration in the referred suit is whether the Kalasas, amounting to nearly Rs 35,000/- made during the Mahamastakabhisheka at Sravanabelagola in 1925, belong to the Math, in which case alone Govt as managers can take further action in the matter.

2) According to the Mag. Comm^r's note sent with his letter of the 2nd march 19. "by the Sale of Kalasas, ie the right to offer worship to Sri Gomateswara, 34 offers for an aggregate sum of Rs 31.064-0-0 were accepted & the parties made the payments in the form of Hundis on Bombay and these were drawn in favour of the Hon. Executive

Serial No.

of the All India Digambara Jain Dharmashastra Committee. The Swami of the Sravanabelgola Mutt at the time, received these Hundis & handed them over to Messrs Lakshmipathia and Santarajayya, who executed a receipt in his favour which runs thus: "out of the Hundi & cash collections received at Sravanabelgola this being at the Mastakabhisheka, we have received into our custody, 34 hundis (of the approximate value of Rs 31,000), for collection and credit of the same in the name of the Swami to the Govt, being the contribution amount to be paid on behalf of the Jain Community, as per orders of Swami Sri Charukirtti panditacharya, as a special case this year for the Construction of a bridge at Mandagere."

vs) The then Govt Advocate Mr. Ramachandra Rao in his opinion given on 28th April 1931, in Mys Dis 96-28 (Sls 5-9), observed that "the amount in question represented by the Hundis is the property of the Swamijalu of the Sravanabelgola Mutt". For this, he mainly relied on the recitals in the receipt above mentioned. Mr. Ramachandra Rao in his opinion states that "the receipt actually recites that the Hundis are the property of the Swamijalu." A copy of the receipt is among the papers sent by the PR, Mysore & is flagged 'W'. It seems to be a carefully worded document and it is difficult to read

in it the explicit statement as to the Vasudeva being the property of the Swami, as the High Priest of the Mutt.

6) The Public Prosr after a careful & exhaustive study of all the available records has sent the draft plaint along with a note (P.V.D No I) for reconsideration of the whole question and for orders.

7) In P.V.D No II the P.Pr. Suggests that the Dist. Mun. Officer, Hassan may call upon one Lakshmipathia & record his statement on the various points of fact arising in the case, since that gentleman appears to be in possession of voluminous records pertaining to the case. This course may well be adopted, but there appears to be no legal means to compel disclosure if Mr. Lakshmipathia is unwilling to give the information required.

8) If approved Govt Advocate will be consulted generally as to the maintainability of the proposed suit as per the draft plaint and also as to the adoption of the course suggested in P.V.D No II.

(Sgd) [illegible] 23/4

9) Yes [illegible] 24/11

GENERAL SECRETARY. 24 NOV. 1931 No

circumstances indicated above clearly warrant - the filing of a suit by the Government on behalf of the Mutt on the lines of the draft plaint. It may further be noted that the idea of putting up a bridge at Mandagere is not altogether given up. The Committee, therefore, has no right to appropriate the amount for its own purposes. The President of the Society who is a resident of - Davanagere may also be impleaded later as a defendant ~~later~~, if the title of the Committee is - set up by Mr. M. C. Lakshmipathiah and others.

Bangalore,
21-12-1931.

Government Advocate.

33) The course suggested by the PPr, Mysore in his letter of the 31st Oct and agreed to by the Govt Advocate at 'A' in the above note, may, I think be adopted in the first instance before the suit is filed as per draft plaint. Instructions to the D.C. Hassan, in the matter of recording the statement of one Lakshmipathia on the points raised in G.O. No: 1475/Mur 210-26-2 dated 9th Febr 1927, may perhaps issue from the Mur Secty.

Chief Secy)

BRP 23/12

34) I agree. To the Hon Secy with Comp

MM 4/12

WD 02553—50,000—GPB—8-7 30

35) Draft as above

2.8.— 115 —

BRP 24/12

File No. of 193 | General and Revenue Secretariat

Draft called for in para 35 is submitted

29/12/31. H. Secy

9.12.31

Issue as per draft a clean copy is put.

31-12-31.

688 9 DEC 1931

5130

29/12

No 922 SG 4.1.1932 to the Muzaffarnagar Commissioner issuing instructions for getting necessary information from Messrs C. Lakshminarayana Rao & Co in connection with the recovery of amount collected in the Lush Mahalwastakkdari tenure and calling for a report on points raised therein

Letter No 952 SG 23/1/32 from the Muzaffarnagar Commissioner returning the file received with his report & the receipt of a report & connected list flagged A. Orders issued in No 10 of the list are not found among the files received from the Collectorate. In case it is not there call

Serial No.

, 10th & 30.1.32 to the Hon'ble Law Member 14/2/32 with the soldier's calling for papers referred to therein.

1.2 This matter will be dealt with in the Legislative Department as all along been dealt with in the Legislative Department

G.S. M&L Department with compliments

No. The Mus. Branch has not yet got the report called for in their letter No. 924/Mus dated 4th June 1932. before further action can be taken here

4) For intimation as to when the final report may be expected

Mus Br.

M.P. 6.7.32

Letter No P.C. 25-2/30-31 & 15/7/32 from the Mysore Commissioner submitting a report of enquiry conducted in connection with the recovery of arms collected at the last Dasara at Ramanabetta

48) The report furnished by the Mysore Government may be sent to the Law Secretary for perusal and return

ante 46

) Copy of the D.C's letter (P.U.D) together with its enclosures, as also the draft plaint sent with PPr's letter of 25th Octr 1931, may be sent to the PPr, mysore for further examination of the points raised by him & for resubmission of the plaint duly revised if necessary -

Mur files 96 of 28 (Sls 1 to 9) as also Mur file 210 of 26 (Sls 1 to 7) may also be sent for perusal & return -

Dft accordingly -

RDP
21/7/32

Dft sub: for appl.

ISD 21/7

Keeping one / a fair dft in the file

MR
21/-

Issued no. P. 504

//A

Serial No.

From

The PPr. Mysore.

No. 237 dated 6th Oct 1932 submitting a note together with the dft plaint for appl in the proposed suit for recovery of Kalsa Collections.

2) The widow of late Gurumukhrai Sukhlan and treasurer of the Committee is said to be the Custodian of the kalsa Collections and it is reported that she is a lady of Charitable disposition desirous of perpetuating the memory of her late departed husband. In the light of the Circumstances explained in para 2-5 of the P.W.D. the Mys. Govt may be requested to Consider the feasibility of recovering the amount from the lady thro' the good offices and mediation of His Holiness the Swamiyaru before instituting the Suit.

Subd for orders

ISD 14/10.

3.) It is desirable to avoid unnecessary litigation in this matter. The course of action suggested in para 5 of the PPr's letter (P.W.D) appears to be eminently fit for adoption in this case.

If approved the Mys Govt will be addressed accordingly.

File No. of 193 | General and Revenue Secretariat

) Dft to the Mng. Comm^r is put up.

ISD
26/10.

Issue
MP
26/10

To,

The Mng. Comm^r

No. P. 11615 dated 31st Oct 1932 forwarding a copy of the PBr's letter and requesting to take necessary action as suggested therein before launching on the proposed civil suit.

Copy to the PBr. Mys.

Recovery of Kalas Collections at Mahanagarakabhishekam

15 sheets

[App. F. III—2

General and Revenue Secretariat | Law File No. 16 of 1931.

Serial No.

From,

The PPr. Mysore

No. 782 dated 6th May 1933 requesting that the sealed Cover and the Connected papers received from the Amildar may be ordered to be taken back from his safe Custody and kept in the Tk. Try. Channapatna.

2) The PPr. Mys. was asked to retain several documents in his safe custody, as they had to be produced along with the plaint in the proposed suit for recovery of Kalas Collections at Mahanagarakabhishekam.

3) Kind reference is invited to paras 50-54 supra. With a view to avoid unnecessary litigation in the matter, before launching on the proposed Civil suit, the Mys. Commr. was addressed to take necessary action to collect the amount due from the widow of late Mr. Gurumaka rai Sukhanand of Bombay, as suggested by the PPr in his letter dated 6th Oct 1932. Final report on the result of the action taken is still due from the Mys. Commr.

4) Until the question of the proposed Civil suit is finally dropped, it seems desirable that the sealed Cover and several important Connected papers should remain in the safe Custody of the PPr. himself. If approved he will be requested to retain them for some time more.

5) The PPr may be told that

ISD 6/5/33

WD 10—GBPM—60,000—13-8-31

that the result of the efforts made by the D.C. Hassan to arrive at a settlement as proposed by him is still being awaited that therefore the documents referred to may remain with him ~~for the~~ till the matter ~~is~~ of filing the suit is finally settled

MP 10/5

13) Dft. as per accordingly

PSD 4/5

15) Issue MP 11/5

To

The Pfr. Hys.

No. J. 5[illegible] dated 13th May 1933 informing to remain the documents referred to in his letter until the question of filing the proposed suit is finally settled.

General and Revenue Secretariat | File No. | of 193

Serial No.

From

The Murvai Comm=

No. 962/26-27 dated 17-7-3

forwards for information, copy of a further communication received from Mr. A. Subbaiya Sastry, Asthanakiruva and Nyayathirtha

Submitted for perusal. The further communication promised by the Murvai Comm will be awaited.

67

d...

Laso File No. of 19. General and Revenue Secretariat

From,

The Mag. Comm^r

no. 962/26-27 dated 15th Sept 1933 forwarding a copy of the letter received from Asthan Vidwan A. Subbaiyasastry and stating that further progress will be reported in due course.

To Submitted for perusal. Further report may be awaited.

TSD 18/

Tr Secy) thro' Asst Secy Mus

DRM 21/9

N 25/9

Addl 28.9.33

2d Member)

Office of the Second Member of Council. 29 SEP. 1933 No. 18764

GENL. & REV. 335 22 SEP. 1933 MUZ

DRM 1/10

4/10

1) The enclosures to the Mus Comr's letters of 17th July & 15 Sept^r may be sent to P Br myscre for ~~return~~ perusal and return, ~~if any further suggestions~~

DRM 3 4/10/33

Dfc. Subd

2) Issue

DRM 4/10

Issued no. 8. 1576 d 7.10.33

REVENUE SECTION 4 OCT 33 REV. SE

al and Revenue Secretariat | File No. | of 193

Serial No.

GENERAL SECRETARIAT
11 OCT. 1933
No.

From

The Pr. Rys.

No. 458 d 9.10.33 stating that the question re: the Control and utilization of the Kalasa Collection is of far reaching importance to four princes Maharashtrakh Sheka is a recurring festival and that therefore the rights of Govt to the Custody of Collections must be duly recognised and suggesting that as the proposal made in the latter part of Mr. Subbaraya Sastry's letter d 25.8.33 reduces the position of Govt to a Consultative body, an officer of Govt armed with proper credentials may be deputed to meet Sri Seth Hukumchandji and to come to a quick decision.

2) The Mys. Commr may perhaps be Consulted U.O. 9/10 as to the advisability of the action suggested by the Pr. Rys.

Secy.

9/10

3) Forwarded with Compliments to the Dewan Commr in mysore for favour of his views regarding the Suggestion of the Pr. mysore

Dharwar

C.O. No. P 1419/32 dated 12/10/33

OFFICE OF THE C962 26-27 11 OCT. 1933

File No. of 193

General and Revenue Secretariat

9 2/34-37.

Returned with compliments.

25) The proposed suit has been long delayed on account of the attempts at negotiation made through Mr. Subbiah Sastry of the Mutt and the result of his deputation has not been encouraging. There is no reason to suppose that an officer of Government will do any better if the negotiations were continued. If there is a reasonable chance of success, as the legal advisers seem to think, it is better to file a suit without delay. But, before long, if the Swami so wishes, may be desired he may make a final appeal to the prominent people named in Mr. Subbiah Sastry's report of 3rd July 33 to credit the money to Government on behalf of the Matha, as his own position would not be free from embarrassment in the event of a suit being filed against his disciples in the matter concerning the affairs of the matha.

A

M. A. Rama Rao

10/11.33 Muzrai Commissioner.

26) The D.C. Hassan may be requested to take action to move the Swami as suggested by the Muz Comr at A above.

FINANCIAL SECRETARY 10 NOV. 1933 No.

10/11

GENERAL SECRETARIAT 11 NOV. 1933 No.

GENERAL SECRETARIAT 17 NOV. 1933 No.

General and Revenue Secretariat | File No. | of 1933 | [App. F. III—2

Serial No.

79) Subt with a dft accordingly
ISD 2/12

80) The draft should be to the Govt to issue necessary instructions to the D.C. Please revise
P 11/12/33

Secret Dept pr
ISD 4/12

81) Issue
PM 4/12

To,

The Mug. Commr

no. P. 2676 d 9.12.33 suggesting to instruct the DC Hassan to ask the Swami to make a final appeal to the prominent people to credit the money to Govt on behalf of the Mattha.

From,

The Mug. Commr

no. 962/26-27 d 19.4.34 forwarding a copy of the Hassan DC's letter dated 14.3.34 and stating in the circumstances pointed out that the final settlement of this long pending question may be left to the Swamiji and the authorities of the Tirtha Kshetra Committee

The file of Vernacular papers Containing the mug's original Communication is not rec'd
Mug for the same but ack

Law File No. of 193 | General and Revenue Secretariat

Serial No.

Issued no. 8. 4915 d 24.4.34.

From,

The Rly. Commr

no. 962/26-27 d 3.5.34 forwarding a copy of letter d 20.4.34 from Mr. Lakshmipathaiya stating that he is in process together with the Vernacular records, & expressing a hope to settle the matter early.

(a) As stated in the Rly. Commr's letter dated 19.4.34 it is seen from the Swamy's Communication dated 28.2.34 that the general secy of the 'All India Digambar Jain Thirthakshetra Committee' has undertaken to receive the amount due from the widow of late Gummukonda Subbamma and in three instalments, and to construct the Dharmasala at Sravanabelagola and the Rly. Commr therefore suggests that the final settlement of this long pending question may be left to the Swamigalu and the authorities concerned.

(b) The Swamigalu however suggests in para 5 of his letter, that Mr. Lakshmipathaiya, gen. secy may be called for, and an undertaking obtained from him in writing for all the responsibilities in the matter. This seems to be desirable as the matter is left in the hands of the Swamigalu and the authorities concerned as opined by the Rly. Commr.

Submitted for orders with reference to para 7 of Sup.

ISD 8/5

(c) Mr. Lakshmipathia only expresses a hope that the matter would be settled satisfactorily and does not undertake responsibilities in the matter.

Serial No.

88) As suggested by the Mzz Govt, this long pending question may be left for amicable Settlement between the Swami & Mrs: Lakshmipathi & other disciples of the Mutt. There appears to be no use of ~~proceeding~~ proceeding further now in instituting a suit against Mr Lakshmipathi & others as originally proposed.

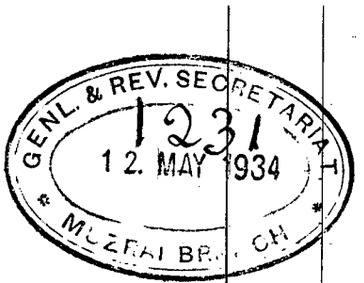
Subd - pr. orders

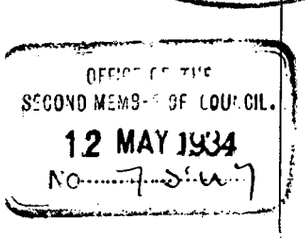
Gen Secy) ✓ 7/5/34

Fin Secy)

(Mur)

89) I think we may await the result of Mr. Lakshmipathy's visit to Bombay before taking any further action, though it is quite true, as pointed out above, that Mr. Lakshmipathy's letter is non-committal.





NOTE—Contn. She

Law File No. of 1934. | General and Revenue Secretariat

1) Dft Sub? for appl?

KD 16/6

92) Issue
pml
16/6

...PING SECTION
G... SECTT

To.

The Muz. Comm?

no. P. 5325 d 18.5.34 informing
the results of
that Mr. Lakshmipathaiya's visit to
Bombay may be awaited.

From

The Muz. Comm?

no. 962/26-27 dated 16.6.34 forwarding
a c/s of the letter dated 5.6.34 from
Mr. M C Lakshmipathaiya, Gen? Sec?
of the Jaina Association intimating the
result of his visit to Belgaum and
promising the submission of a further
Communication in the matter

2) Mr. Lakshmipathaiya reports that everything
has been settled satisfactorily and the
proposed Anna Sala at Sravana Belagola will be
taken up as soon as the first instalment is
received and that the Mgt. Committee will be respa
for the Construction under the Control and supervis
of Govt.

Further report promised may be awaited.

Sub? for perusal with ref?? to para 8 of

TSD 19/

II Member
Thro Fin Sec?
(Muz)

GENL. & REV. SECRETARIAT
1362
21. JUN. 1934
MUZRAI BRANCH

OFFICE OF THE
SECOND MEMBER OF COU...
26 JUNE 1934
No. 6...

21/6

20/6

27.6.34 pml 27.6

2nd Mem

25/6 26/6 Secy 28/6/34

Re: Kelasa Collections at Mahamastakabhisheka
Shravanabelagola.

796 29

General and Revenue Secretariat | Law File No. 16 of 1934 | F. III—2

rial o.

From,

The

no. 962 | 26-27 · d

Communications received from Messrs. Lakshmipathaiya and Subbaraya Setty and stating in the circumstances pointed out that since the original idea of Constructing a bridge at Mandagere having been given up there is no objection to the proposal now put forward by all parties that the money should be utilised for Construction of a Dharmashala at Shravanabelagola, and it is necessary to obtain that the money received shd be paid into Govt Trg and suggesting that if this view is accepted a suitable reply will be sent to Mr. Lakshmipathaiya.

Comments: Suggestions in para 4 of the P. W. D.

Law File No. of 193 4 | General and Revenue Secretariat

I think, he accepted and action taken accordingly,

Second Number

6.8.34.

6/8/34

6/8

10.8.34

11.8

nbd for appl

11/8/34

To,

The Hon. Comm^r

no. P. 8011 d 13.8.34 informing that Govt agree with the views expressed in para 4 of his letter

If appl^n this file will be closed now and kept as B Govt to await further progress in the matter

15/8.

15/8

B

16/8/34

OFFICE OF THE SECOND MEMBER OF COUNCIL. 7 AUG. 1934 NO 6/5/2

TYPING BUREAU 11 AUG. 1934 GENL & REV. SECTT.

Serial No.

From

The Pr. Myore

no. 211 d 28.8.34 stating that the Sealed Cover sent to him in Connection with the proposed suit may be required by the Rulers authorities during the negotiations for the intended amicable settlement and requesting permission to return the same either to the Amildar of Channapatna or to any other officer as he may direct

Reference para 54-55 supra.

The Pr. may be asked to send the sealed Cover to the Myg. Commr to whom the other Connected records have also been sent.

ISD 27/8.

28/8

Dft subt accordingly

ISD 29/8

29.8.34.

To,

The Pr. Myo.

no. 1176 d 31.8.34 informing him that the Sealed Cover to the Myg. Com

The Myg. Commr

No. 262 Mysore, dated 1st September 34.

REGISTERED & ACKNOWLEDGMENT DUE

From

The Public Prosecutor,

Mysore Division, Mysore

To

The Muzrai Commissioner

in Mysore, Banga

Re: Kalasa collections of 1925 at Sravanabelgola.

Sir,

With reference to letter No.P.1176 Law dated 30/31st August 1934 received from the General Secretary to Government, and as directed therein, I have the honour to submit herewith the file of papers received from the Amildar, Chennarayapatna Taluk with his letter No.Muz.16 of 31-32rdated 31st July 1931. The file contains the papers specified in the pheriat including a sealed cover said to contain the original receipt dated 15-5-25 granted by Messrs. M. C. Lakshmipathaiya and A. Shantaraja Sastry.

It is requested that the receipt of the enclosures may kindly be acknowledged.

I have the honour to be,

S i r,

Your most obedient servant.

Sd. K. Ramaswamy.

Public Prosecutor,

Mysore Division.

P.T.O.

GENERAL [illegible] No. 268

Copy submitted to the General Secretary to the Government of His Highness the Maharaja of Mysore, Law Section, Bangalore, for information, with reference to his letter No.P.1176 Law dated 30/31-8-34.

Public Prosecutor,
Mysore Division.

GENL. & REV. SECRETARIAT
71
21 JUL. 1931
MUZRAI.

In reply please refer to
No. 43

Tel. Address:—
"JURIST," Bangalore.

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

Bangalore 18th July 1931.

GENERAL SECRETARIAT
20 JULY 1931

From

A. R. Nagesvara Iyer, Esq., B.A., B.L.,
Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of
H. H. The Maharaja of Mysore,
Financial Department (Muzrai),
BANGALORE.

Sir,

Re:- Filing of a Civil Suit in the proper court for the recovery of the amount collected on the occasion of the last Mahamastakabhisheka at Sravanabelagola.

With reference to your Memo No.2686-87 dated the 15th/16th June 1931, on the above subject, and the letter of the Muzrai Commissioner No.P.C.252/29-30 dated the 9th/11th July 1931 a copy of which is herewith enclosed, I have the honor to state that as the Sravanabelagola Matha is situated in the Channarayapatna Taluk of the Hassan District and as such comes within the jurisdiction of the District Court of the Mysore Division, the suit has to be filed by the Public Prosecutor, Mysore. Instructions may therefore be arranged to be issued to him through the Law Department of the Secretariat (Vide G.O. No.4464-4514/C.B. 177-30-1 dated 30-5-1931) to take necessary action in the matter and to file the suit immediately in consultation, if necessary, with the Muzrai Commissioner in Mysore and the Deputy Commissioner, Hassan District.

I have the honor to be,
Sir,
Your most obedient servant,

Government Advocate.

Copy of letter No. P.C.252/29-30 dated the 9th/11th July 1931, from the Muzrai Commissioner in Mysore, Bangalore to the Government Advocate in Mysore, Bangalore.

"Referring to your predecessor's unofficial note No.62/30-31 dated 28th April 1931 to the Financial Secretary to Government in the matter of the recovery of amounts collected on the occasion of the last Mahamastakabhisheka at Sravana-belagola, I have the honor to state that Government have since directed that necessary action to file a suit against the parties concerned may be taken in consultation with you, and to request you to be so good as to indicate the action to be taken to file the suit and to conduct it on behalf of the present Swamigalu of the Matha. The Matha is situated in the Chennarayapatna Taluk of the Hassan District and comes therefore within the jurisdiction of the District Court of the Mysore Division and the suit has to be filed in that court. I request that necessary action may be taken for filing the suit. Whether the actual filing may be done by the Public Prosecutor may be considered by you. Necessary information for preparing the plaint etc., may be obtained from the Deputy Commissioner of the Hassan District and further action taken as early as possible. A copy of letter No.2684/Muz.96-28-9, dated 16th June 1931 from the Financial Secretary to Government is enclosed herewith.

"The matter may kindly be treated as urgent."

Government Advocate

Appendix F G.—1

SUBJECT.....

.....

.....

Section Law

File No. 16-31

Serial No. 1

No. 553 Jud

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

To

The Public Prosecutor

Mysore

Date of issue 25/7/31

Signed by M. Ray

Sir,

I am directed to forward herewith a copy of Huzarai Commissioner's letter No: Pc 252/30-3 of 2nd March 1931, re the amount collected on the occasion of the last Mahamastakabhisheka at Sravanabelgola, together with a note sent thereon explaining the facts of the case & also a Copy of the Government Advocate's opinion on the points raised

List of enclosures.....

Copied by 30/7/31

Examined by.....

[over

therein. ~~is ordered~~

Government have decided to take legal action to recover the amounts in question and I am directed to request you to prepare a draft plaint under instructions from the Muzarai Comr in mysore and the Deputy Comr, Hassan and send the same at a very early date for approval of govt.

The

The Public Prosecutor,

Mysore Division.

I am directed to forward herewith a copy of Muzrai Commissioner's letter No.P.C.252/30-31 of 2nd March 1931, re. the amounts collected on the occasion of the last Mahamastakabhisheka a Sravanabelgola, together with a note sent therewith explaining the facts of the case as also a copy of the Government Advocate's opinic on the points raised therein.

Government have decided to take legal action ~~as~~ to recover the amounts in question and I am directed to request you to prepare a draft plaint under instructions from the Muzrai Commissioner in Mysore and the Deputy Commissioner, Hassan and send the same at a very early date for approval of Government.

I have the honour to be,

Sir,

Your most obedient servant,

for Chief Secretary to Govt.,

Appendix F G—1

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section

File No.

Serial No.

No. P207

General and Revenue Secretariat

( )

the *193*

To

.....

Date of issue 7/10/31

Signed by

Dear Mr. Ramaswami,

Your D.O. letter of the 3rd instant.

It is not yet settled whether I am to go to Mysore for this Dasara session of the R.A. In case I go, I shall be glad to discuss the question referred to by you regarding the proposed suit against Messrs Lakshmipathia & Others. Meanwhile, I am to ask as to what information You

List of enclosures.....

Copied by.....

Examined by.....

WD 02559—GPB—25,000—25-6-30

have called for from the Amildar
of Chamarajapatna and how it
goes to the root of the matter.

Yours Sincerely

Dpc

7.10

K. Ramaswamy Esq
Public Prosecutor
Mysore.

K. Ramaswamy, Margosa Lodge, Mysore.

Public Prosecutor, Dated 11th October 31.

Strictly Confidential.

D. O. No. 262./Encl.one.

Dear Mr. Jaya Rao,

I thank you for your D. O. letter No. 2017/Law dated 7-10-1931.

2. The confidential D. O. letter that was sent to Mr. Narayana Rao, Amildar, Chennarayapatna, was returned to me by the Post Office undelivered to the addressee. I enclose the letter for your information. I have since addressed a docket to the Amildar calling for the same information.

3. The main point for determination in the proposed suit will be whether the Kalasa collections made during the Munda Puja of 1925 formed part and parcel of the funds of the Mutt. Kalasa collection appears to be a recent innovation introduced by the All-India Jain Digambar Thirthakshetra Committee of Bombay. This Committee was the custodian of Rs.16,000/- collected by the sale of Kalasas at the Munda Puja of 1909. A sum of Rs.8,000/- out of the fund was advanced to the late Mr. M. L. Vardhamanaiya towards the preliminary expenses connected with the Munda Puja of 1925.

4. On 9-11-1924 a Reception Committee (Puja Committee) was formed at Sravanabelgola for concerting measures for the celebration of the Munda Puja in February 1925. The Swamiji presided at the meeting and a number of Secretaries were appointed. It was then resolved that a sum of Rs.5.000/- should be borrowed from the Bank of Mysore for immediate preliminary expenses and that it should be repaid after getting funds from the Bombay Committee. Invitations were sent out on 25-11-1924 in the name of the Swamiji. The last sentences

of the circular letter of invitation are as follows:-

ಇಂತಹ ಅಭೂತಪೂರ್ವ ಮಹತ್ಕಾರ್ಯವನ್ನು ಪ್ರಾರಂಭಿಸಿರುವ
ನಮಗೆ ಯಥೇಷ್ಟ ದ್ರವ್ಯ ಸಹಾಯವು ಅವಶ್ಯವಾಗಿ ಬೇಕಾಗಿರುವ
ಸಂಗತಿಯು ತಮಗೆಲ್ಲರಿಗೂ ತಿಳಿದಿರುವುದರಿಂದ ನಿಮ್ಮ ಹತ್ತಿರ ಇರುವ
ಸಾಮರ್ಥ್ಯಕ್ಕನುಸಾರವಾಗಿ ಈ ಕಾರ್ಯಕ್ಕೆ ಸಹಾಯವನ್ನು ಮಾಡುವಂತೆ ನಿಮ್ಮಲ್ಲಿ ಪ್ರಾರ್ಥಿಸಿಕೊಳ್ಳುತ್ತೇವೆ.
ಪ್ರಸ್ತಾಪಿತವಾಗಿರುವ ಕಾರ್ಯವನ್ನು ಕಾಲಕ್ಕೆ ತಕ್ಕಂತೆ ಶೀಘ್ರವಾಗಿ
ಅಭಿವೃದ್ಧಿಗೆ ತರುವುದಕ್ಕೆ ಬಹಳ ಅವಶ್ಯವಾಗಿರುವ ಹಣವನ್ನು
ಕೂಡಿಸಬೇಕು. ನಮ್ಮ ಸಮಾಜದವರು ಶೀಘ್ರವಾಗಿ ಹಣವನ್ನು ಕಳುಹಿಸಿಕೊಡಬೇಕು.

It was estimated that the Puja celebrations might cost about Rs.30,000/-. The accounts of the monies collected and expended by the Puja Committee were kept separate from Kalasa collections.

5. On 21-12-1924, at a meeting of the Puja Committee it was resolved that a committee called " ಮೈಸೂರು ಪ್ರಾಂತೀಯ ದಿಗಂಬರ ಜೈನ ತೀರ್ಥಕ್ಷೇತ್ರ ಕಮಿಟಿ " must be established at Sravanabelgola. The objects and rules of the proposed committee were read out. It was resolved that the Committee must be registered and a fund should be opened. The Secretary of the Bombay Committee was nominated as an ex-officio member. The object of the Committee was to raise money by subscriptions for the restoration of ancient Jain monuments at Sravanabelgola and other places in the Mysore Province. Later on, the Swamiji declined to act as President of this Committee with the result that the Committee did not come into existence and the idea of creating a fund for it was given up.

6. It is not clear from the records whether the Kalasa collections were made under the auspices of the Puja Committee or the proposed Thirthakshetra Committee. Anyhow, a sum of Rs.4,500/- being the cash Kalasa collection was deposited in the Mysore Bank in the name of the " Mysore Prantik Jain Digambar Thirthakshetra Committee, Mysore." But it is clear from the records that there was no such Committee in Mysore on the date of

of the deposit. The Committee bearing a similar designation was intended to be established at Sravanabelgola and not at Mysore and the whole scheme had fallen through before the date of the deposit.

If the Kalasa collections of Rs.4,500/- belonged to the Mutt there was no reason why it should have been deposited with the Mysore Bank in the name of the Committee. If on the other hand, the money belonged to the proposed Committee. then the object of the fund was no other than the restoration of ancient Jain monuments. The same argument seems to apply to the Hundi amount of Rs.31,000/- According to Mr. Sukhanand Sait the Hundis had been drawn in favour of the Bombay Committee of which he is the Treasurer and the collection itself was made under the auspices of the Bombay Committee.

4. I see from the papers sent to me that the Kalasa collections of 1925 have been treated by the Muzrai Officers as " ಠಾಣ್ಯಾಳಿಕೆ " or " ಬಾಚೆಬಾಬು " (Miscellaneous income) These expressions are borrowed from the Sannad granted to the Mutt by Sri Krishnaraja Wodeyar III in 1830. Vide, Pages 162 and 163, Part III of Epigraphia Carnatica, Vol.II, 1923 Edition.

ಅನ್ಯೋರ್ವರು ಠಾಣ್ಯಾಳಿಕೆ,ನಾನುಂಠಾಣ್ಯಾಳಿಕೆ,ಗುರುಠಾಣ್ಯಾಳಿಕೆ,ಠಾಣ್ಯಾಳಿಕೆ,ಚ್ಯುತಿಳಿಕೆ.

ಈ ಗ್ರಾಮವು ಸಳ್ಳಿ ಶ್ರೀಧರಾಂಗಿ ಕೆಶೆಕಿಶಿಷ್ಟೆಠಾಣ್ಯಾಲು ವೆ ಅಂಥಾ ಮುಂತಾಂಗಿ ಕೆಶೆಷ್ಟಿಶಿ ಬಾಚೆಬಾಬು ವುಮುಂತಾಂಗಿ ಅಮುವಬಾಬಿನಷ್ಟು ಯೋಜನು ಕೆಷ್ಟು ಪ್ರು ಮ್ಮೆವಳ್ಳಿ ವುಡಿಕೊಂಡಾಗ್ಯೂ ಸಿದಲಿದೇವರ ಸೇವ ಮುಂತಾದಳ್ಳಿ ಲುವ ಯೋಗವುಡಿಕೊಳ್ಳು ವ್ರವು ಎಂಬುದಾಗಿ ಶ್ರವಣಾಬೆಳ್ಳಗುಳ್ಳದ ಚಾರು ಕೀರ್ತಿವಂಡಿತಾಚಾರ್ಯಮತಳ್ಳಿ ××× ಶ್ರೀಕೃಷ್ಣರಾಜ ಒಡೆಯರ್ವರವರುಬೆಳ್ಳ ಗುಳ್ಳರ ದ್ರೋವಶ್ಚಾನೆಗಳ್ಳಾವಡಿತರ ಕ್ರಾಮಾಂಠಾಧನೆ ರಶ್ಯೋಕ್ಷವ ವಷ್ಟೆಂಶ್ರೀಕಿ ದಾನದ್ರೋಹಿಕೆಲವದಬಗ್ಗೆ ಬರೆಸಿಕೊಟ್ಟಿಸವರ್ವಮುನ್ನಗ್ರಾವುಠಾಧನವು.

9. Unless it is satisfactorily proved on the construction and interpretation of the above recitals that the Kalasa collections were by usage or common consent treated as " ಠಾಣ್ಯಾಳಿಕೆ " or " ಬಾಚೆಬಾಬು " they cannot be regarded as funds of and belonging to the Mutt.

10 There are several other side issues. I am anxious to discuss them with you and, if possible, with Mr. Subramanya Iyer also, and then submit the draft plaint for the approval of the Government. In my humble opinion we must reach definite conclusions before putting forward our case. The suit is a heavy one. The decision of the Court will be a very important precedent as the Munda Puja is a recurring ceremony. If we succeed in proving that the Kalasa collections belong to the Mutt they will in future be a permanent source of large income to the Institution.

11 I am raising these points in anticipation of a strong defence and for clarifying the position at the earliest stage. I do not, however, question the correctness of the decision already arrived at by the Government.

I request you to give me the benefit of your views on the points raised. In case you are not coming to Mysore for Dasara I shall meet you in Bangalore and have a consultation.

Yours Sincerely,

A Ramaswamy

M. R. Jaya Rao, Esqr., B. A., B. L.,
Assistant Secretary to Government
Law Department, Bangalore.

THE MODERN HINDU HOTEL

COLA LODGE

Bangalore City, 27th Sept 1931

CONFIDENTIAL.

From
K.Ramaswamy,
Public Prosecutor,
Mysore

Dear Sir,

You know that the Government have asked me to prepare the plaint and file a suit for the recovery of the Kalasa collections of Mastakabhishekam held in Saravanbelgola. I have read an account of Mastakabhisheka on page 18 of Epihgraphica Caranatica. But the Kalasa collection appears to be a recent custom. I am therefore request you to find out from the Mutt records information on the following points:--

1. When was the practice of auctioning Kalasas first inaugurated?

2. Has the Mutt or the Swami been the custodian of the funds collected at the auction?.

3. Are there any accounts kept at the Mutt of the receipts and expenditure of the fund.?

4. Do Kalasa collections form a seperate fund or are they merged in the Mutt fund?.

5. Are the collections usually ear-marked for any parti--cular purpose

THE MODERN HINDU HOTEI

COLA LODGE'

Bangalore City, 193

6. What is the nature of the control of the All-India Jain Thirthakshetra Committee over the Kalasa collection

7. Has the Swami ever exercised control over the collections?

It is learnt that there were Mastakabhishekams in 1909 and 1911. I request you to kindly send for the agent of the Mutt and obtain his statement on the points noted above and forward it to Mysore officially.

Yours sincerely,

To

M.Narayana Rao.Esq., B.A.

Amildar,

C H E N N A R A Y A P A T N A.

Section

File No.

Diary No. of letter replied to.....

Serial No.

No. 12-07

General and Revenue Secretariat

To .....

the 193

Date of issue..... 19 10 27

Signed by..... Jr. Nay

Dear Mr. Ramaswami,

I thank you for your D.O. No. 262 dated 11th Oct. 1931. After going through your letter & the records available here, I think that further examination of the question is desirable. I would suggest your making a reference officially after you receive the information called for from the Amildar of Chemiarayapatna, stating your views in the matter and asking for orders thereon.

List of enclosures.....

Copied by.....

Examined by.....

13

~~I am not going to Mysore during this week~~
~~for the next four days between 20th & 25th inst.~~

If you are coming over to Bangalore
any of these days, I shall be very glad
~~to~~ to have a discussion with
you on the subject. ~~I may however tell~~
~~you that~~ Between the 24th & 25th of this
month, I may however not be available
here as I am thinking of going to
Madras then on some private business.

Yours sincerely

DNC

K. Ramaswami Esq BA BL
Dist Judge
Mysore.

CONFIDENTIAL.

No.298 Mysore, dated 25th October 31.

From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, Bangalore.

GENERAL SECRETARY 28 OCT. 1931 No 1729

Reference:- Your letter No.P.533/Law dated 25-7-1931.

Subject:- Suit against Messrs. M. C. Lakshmipathaiya and others for recovery of the proceeds of 34 hundis entrusted to them by the late Swamigalu of Sravanabelgola Matha.

Enclosures:- (1) Muzrai files No.252/29-30 consisting of three files.
(2) Report No.28/31-32 dated 10-10-1931 from the Amildar of Chennarayapatna.
(3) Plaint.

Sir,

In submitting herewith the draft plaint of the proposed suit against Messrs. Lakshmipathaiya and others and the above-noted files of correspondence relating to the suit claim, I have the honour to state that the delay in the submission of the draft plaint has been due to certain doubts regarding the competency of the claim and the exact nature of the cause of action against the defendants. The Kalasa collections are a source of considerable income to the Institution as the Kasthakabhisheka is a recurring ceremony. The result of the proposed suit will have a far-reaching effect on the resources of the Matha. In view of the importance of the litigation a further reference was made to the Amildar of Chennarayapatna for information on certain points connected with the origin of the practice of auctioning the Kalasas, the custody of the sale-proceeds and the actual trusteeship of the money ected at the auction. The report of the Amildar No.28 dated 10-10-31 is submitted for kind perusal.

I would request that the Government may be pleased to

to consider the following aspects of the suit claim before the draft plaint is finally approved.

(1) In letter No. P. 1475/Muz.210-26-2 dated 9-2-1927 (Flag A) the Government were pleased to order the deputation of Mr. M. Sadasiva Rao to hold a full enquiry and submit a detailed report with a view to make a reference to the Legislative Secretary for his opinion about the legal position and rights of the Matha and the Government to claim the money in question. The following questions were formulated by Government for holding the enquiry

(1) the exact circumstances and the purposes for which the collections were made;

(2) the total subscriptions collected so far as they can be ascertained;

3) the persons by whom the collections were made;

4) documents available evidencing the collections;

5) the purposes for which the money was collected;

6) the balance remaining unspent and the steps to be taken for securing them in the interest of the institutions concerned;

(7) the claims of the Math or any other organization to the several kinds of collections or sale proceeds.

(2) Mr. Sadasiva Rao's report (Flag F) dated 1-3-1927 deals with the question of Kalasa collection in paragraph 4 and 6. The materials then available to him were not sufficient to answer questions Nos. 1, 3, 5 and 7 fully. When the Government passed orders on the above report (Flag G) on 19-8-1927 they requested the Muzrai Commissioner to take steps to recover the money before the question of its utilization could be considered. The correspondence with Mr. Lakshmipathaiya and Mr. Sukhanand Sait was subsequent to the Government Order. Till Mr. Sukhanand Sait' letter dated 7-8-1929 was received the Government did not know that the hundis had been drawn in favour of the All-India Committee. Hundis are negotiable instruments. It is a point for consideration whether the late Swamigalu could become the

the restoration of ancient Jain monuments. It might be argued that the late Swamigalu was entrusted with the hundis in his capacity as President-Elect of the proposed Committee. The fact that the cash collections of Rs.4,700-8-1 were deposited in the Mysore Bank on 6-4-1925 in the name of " The Mysore Prantik Jain Digamber Thirthakshetra Committee, Mysore ", lend support to the theory that the late Swamigalu was entrusted with the hundis for and on behalf of the proposed Thirthakshetra Committee of Sravanabelgola. Copy of the list of hundis drawn by the Northern Indian devotees is placed on the file. It is Flag J. It does not contain the names of the drawers, the drawees or the payees. Perhaps the hundis were made out in the Guzerathi or Marwari script for which reason evidence is not available to know the names of the parties to the instruments. The accounts (Flag E) submitted by the late Mr. M. L. Vardhamanaiya do not contain any reference to the Kalasa collections. The Committee on whose behalf the late Mr. M. L. Vardhamanaiya granted receipts for Kalasa collections is not specified in our records. Mr. Sukhanand Sait has definitely stated that the Kalasa collections of 1925 were made under the auspices of the All-India Committee of which he is the Treasurer and that the hundis cashed by him had been drawn in favour of the Honorary General Secretary of the All-India Committee. According to the information furnished by the Amildar of Chennarayapatna in his report dated 10-10-1931 the practice of auctioning Kalasas originated in 1910 and the collections made during the Abhishekas prior to 1925 were taken by the All-India Jain Digamber Thirthakshetra Committee of Bombay. On the eve of the Puja preperations the late Mr. M. L. Vardhamanaiya received a donation of Rs.8,000/- as contribution to the Puja fund. From this circumstance it may be inferred that the All-India Committee was the lawful custodian of the Kalasa collections with powers of disposal.

(b) [illegible]

This organisation collected donations at the Puja independently

The late Mr. M. L. Vardhamanaiya made the collections but the funds were kept separate (Flag H)

(4) From the above materials it may be argued:-

(a) that the Kalasa collections were made by the All-India Committee;

(b) that the said Committee was the custodian of the proceeds of the hundis;

(c) that neither the Puja Committee nor the Swamigalu had any control or disposing power over the hundis.

The points in support of our case as against the above are:-

(a) the Kalasa collections both cash and the hundis were allowed to remain with the Swamigalu, and the Secretary of the All-India Committee did not apply for their return to himself;

(b) the present suit is not based on the hundis but on the proceeds thereof, which are regarded as trust money.

(5) The cause of action for the suit claim is based on a trust. In the receipt dated 15-5-1925 granted by Messrs. M. C. Lakshmipathaiya and Shantaraja Sastry mention is made of a resolution to utilize the proceeds of the hundis for the proposed Mandagere Bridge in the name of the Swamigalu. No details connected with the said resolution are forthcoming. The Swamigalu of the Matha could only be entitled to the Kalasa collections either under the terms of the Sannad granted in 1830 or by virtue of an agreement entered into or a trust created at the time of handing over the hundis to him. The terms of the Sannad and the descriptions of the Masthakabhisheka given in Epigraphia Carnatica Vol.II may be perused with advantage. There is no reference in them to the practice of the Kalasa collections by auction sale. According to the Amildar's report the custom of auctioning the Kalasas is not older than 1910. (Vide Enclosures to the report) Therefore we cannot rely upon " usage " as the basis of our claim on behalf of the Institution. It appears to me that we must fall back upon the recitals contained in the Sannad to prove our title to the

the proceeds of the hundis. There are three expressions used in the Sannad of 1830 indicating, among others, the sources of income of the Matha, [illegible].

ಕಾಣಿಕೆ Voluntary offerings made to the Deity or to the Swamigalu (uninvited funds)

(b) ಬೆಳ್ಳಿಕಿಕೆ. Money collected by sending our appeals to the devotees for funds and paid by them in response to the appeal (invited funds)

(c) ಫುಟಕೆ ಖಾಂಯು Miscellaneous income.

The late Swamigalu was therefore the owner of the Kalasa collections which must be brought under the above three heads of income or sacerdotal emoluments.

(6) The Matha and the temples are Muzrai Institutions. The Swamigalu is the Manager and Trustee of the Institutions. The funds of the Institutions are Muzrai funds. The Government have been managing the properties of the Matha and the temples for several years past. The Kalasa collections were made during the Maha-Masthakabhisheka of Sri Gommateswara. These collections must be regarded as ಕಾಣಿಕೆ, ಬೆಳ್ಳಿಕಿಕೆ ಮತ್ತೆ ಖಾಂಯು and they belong to the Matha. The hundis and the cash collected at the auction sale of the Kalasas were given to the hands of the late Swamigalu becuase he was the lawful custodian thereof. The members of the Jain community desired that His Holiness may contribute the proceeds of the hundis towards the cost of construction of the Mandagere Bridge. The Swamigalu acceded to their proposal and entrusted the hundis to defendants 1 and 2 for realising the proceeds and paying them to Government. Defendants 1 and 2 failed to do so. The third defendant is the present custodian of trust money belonging to the Matha. Under Section 10 of the Limitation Regulation there was an express trust created by the Swamigalu on 15-5-1925 for a specific purpose. There is no bar of limitation to follow the trust funds wherever they may be. The Swamigalu was the author of the trust. The

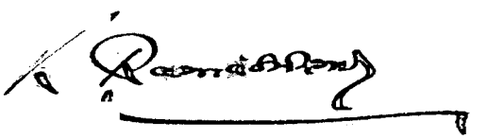
The third defendant though not an express trustee must be regarded as such because he is a trustee de son tort (Vide Pages 90 and 91 Rustomjee's Law of Limitation IV Edition). Hence the suit.

I therefore request that the relevancy of the above arguments to the questions at issue may be duly considered by the Government and further instructions, if any, may be issued to amend, alter or modify the draft plaint.

I have the honour to be,

S i r,

Your most obedient servant



Public Prosecutor,

Mysore Division.

1931-32

23

From

The Amildar

Channarayapatna Taluk

To

The Public Prosecutor

Mysore Division

Mysore

Dated the 10th October 1931

No. 28/31-32

Sir,

With reference to your worked no; 244 dated 5-10-1931 requesting me to furnish certain particulars re the Kalasa collections on the occasion of the Maha Masthakabhishekam celebrations at Sravana belagola, I have the honour to state that as much information on the General points mentioned in your letter as I could gather from the local enquiry made by me during my last visit to Sravanabelagola has been noted in the margin

The Statements of the late Agent Mr. Dorbali Jinadasa Sastri and of Mr. C Chandraraja, one of the older residents of the place, are also enclosed for information. As the Swamiji of the mutt is on tour at Bholapur at the present moment I regret I have not been able to consult him immediately on the

Informations on the General points mentioned in the letter.

1) The practice of auctioning Kalasa is stated to have been first inaugurated during the Maha Masthakabhisheka in the year 1910 & not in vogue prior to 1910.

2) Neither the mutt nor the Swamiji was it is understood ever the custodian of the funds so collected at the auction.

3) —— Do —— Do —— Do

4) —— Do —— Do —— Do

5) —— Do —— Do —— Do

6) The collections made during the two previous Maha Masthakabhishekas are stated to have been taken by the All India Jain Theertha Kshethra Committee and they are said to be the sole custodians of the said sums.

7) No definite information is available on this point.

of the matter. I have however addressed a communication to him separately, as soon as I hear from him in reply, I shall write to you again.

I have the honour to be,

Sir,

your most obedient servant

Narasa Rao

11-10-37

Havildar,

Channarayapatna

Taluk

ಸಂಖ್ಯೆ: ಇಲಾಖೆ/ಅಧಿಕಾರಿ/ವರ್ಷ/೧೨೩೪

ದಿನಾಂಕ: ೧೫/೦೩/೨೦೨೧

ಸ್ವೀಕೃತಿ ಪತ್ರ

ಶ್ರೀ ರಾಮಪ್ಪ ಬಿನ್ ಲಕ್ಷ್ಮಣಪ್ಪ,
ಸಾ: ಹೊಸಹಳ್ಳಿ,
ತಾ: ಕಲ್ಲೂರು.

ವಿಷಯ: ಅರ್ಜಿ ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ತಮ್ಮ ಅರ್ಜಿ ದಿನಾಂಕ ೧೫/೦೩/೨೦೨೧

ಮೇಲ್ಕಂಡ ವಿಷಯ ಮತ್ತು ಉಲ್ಲೇಖಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ತಾವು ಸಲ್ಲಿಸಿದ ಅರ್ಜಿಯನ್ನು ಸ್ವೀಕರಿಸಲಾಗಿದೆ ಎಂದು ತಿಳಿಸಲು ವಿಷಾದಿಸುತ್ತೇನೆ. ಅರ್ಜಿಯಲ್ಲಿ ಕೋರಿರುವ ವಿಷಯದ ಬಗ್ಗೆ ಸೂಕ್ತ ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುವುದು.

ಅರ್ಜಿಯ ಸ್ಥಿತಿಗತಿಯನ್ನು ತಿಳಿಯಲು ಇಚ್ಛಿಸಿದಲ್ಲಿ ಈ ಸ್ವೀಕೃತಿ ಪತ್ರವನ್ನು ಕಚೇರಿಗೆ ತಂದು ತೋರಿಸಬೇಕು.

ಧನ್ಯವಾದಗಳು,

ಸಹಾಯಕ ಆಯುಕ್ತರ ಕಚೇರಿ
ಕಲ್ಲೂರು

From

ne Public Prosecutor,
Mysore Division, Mysore.

To The General Secretary to the
Government of His Highness
the Maharaja of Mysore
Law Section, Bangalore.

Dated 31-10-31

Despatched 31-10-31 Law 2/11

Received

General No. 314

No.

Enclosure No. 1022

Sir,

In continuation of my letter No.298 dated 25th October 1931 submitting for the approval of Government the draft plaint in the proposed suit for the recovery of Kalasha Collections, I have the honour to state that Mr.M.C. Lakshmipathaiah is in possession of voluminous records connected with the donations and subscriptions paid or promised by the devotees at Sravanabelagola during the Mahamasthakabhishaka of March 1925. The said records contain full and authentic information called for by the Government in their order No.1475/Muz.210-26-2 dated 9th February 1927. (Flag A).

The proposed suit has to be filed by Government under Section 11 of the Religious and Charitable Endowments Regulation VII of 1927. The Sravanabelagola Matta came under Government management more than forty years ago. Under Sections 28 and 29 of the Regulation it is competent to the Government to

exercise all the powers possessed by the Head of the Institution for the management of its property.

The hundis in question were handed over by the late Swamigalu who was the former head of the Institution to Mr.Lakshmipathiah. It seems to me that the District Muzrai Officer is entitled to issue a notice to Mr.Lakshmipathiah and record his statement on the points raised in the Government Order quoted above.

It is humbly suggested that the Government may be pleased to direct the District Muzrai Officer, Hassan, to take action accordingly.

I have the honour to be,
Sir,
Your most obedient servant

Public Prosecutor, Mys
Division.

No. 252/29-30
En 37e

OFFICE OF THE Muzrai REVENUE COMMISSIONER
IN MYSORE,

Dated, Bangalore, 1/SEC/29 - 7 - 1931

FROM

Muzrai *Revenue Commissioner in Mysore*

To

The Public Prosecutor,
Mysore Division,
MYSORE.

SIR,

As desired in your letter No.90 dated 22-7-'31, I have the honor to forward herewith the marginally noted file of papers in the matter of filing a suit against Mr. M. L. Lakshimpathaiah and others for the recovery of certain amount collected on the last Mahamastakabhisheka occasion at Srávanabelogala and to request the favour of an acknowledgment.

1. Office Note - Pages 1 to 26.
2. Correspondence ending with Financial Secretary's letter No.2684/Muz.96-28-9
3. Vernacular file as per Pherist

This office note dated 2-3-31 contained in the records gives in sufficient detail the facts of the case. Any further information in the matter may be obtained from the Deputy Commissioner, Hassan District

The files may be returned when no longer required.

I have the honor to be,

Sir,

Your most obedient servant,

For Muzrai Commissioner.

From

The Public Prosecutor,

Mysore Division,

To Mysore.

The General Secretary to the Go
of His Highness the Maharaj
of Mysore, Law Section
Bangalore.

Dated 16-12-31.

Despatched 16-12-31.

Received

General No

No. 448.

Enclosure No.

Sir,

Adverting to correspondence ending with letter No.314 dated 31-10-31 from this office in the matter of the proposed suit for recovery of Kalasa collections of Masthakabhisheka (1925) at Sravanabelogla, I have the honour to state that I have got in my safe custody the documents noted in the appended list sent to this office by registered post from the Taluk Office Channarayaptna. These documents will have to be produced into Court along with the plaint. In the meantime the Government may be pleased to direct as to whether the documents may remain with me or be sent back to the Taluk Office at Channarayapatna

1) The file is sent to Govt Advocate for opinion & Scrutiny of the draft plaint--

2) pending final orders regarding the institution of the suit, the important papers mentioned in the list, may perhaps remain in the safe custody of the PPs himself--

(Chiefsec) DSP 17/12

3) Better consult the DC. on this point

ABM 19/XII/31

4) XX Dft to DC. Hassan DSP

5) Dft Pus 15/12

for perusal before issue

(Chiefsec)

OFFICE OF THE LAW SECRETARY 17 DEC. 1931

TYPE SECTION 22 DEC. 1931 ENGL. & KAN. SECTION

OFFICE OF THE LAW SECRETARY 21 DEC. 1931

List of documents remaining with the Public Prosecutor, Mysore Division, in safe custody.

1. Letter No. Muzrai 16/31-32 dated 31-7-31 from the Amildar, Chennarayapatna Taluk to the Public Prosecutor, Mysore Division
2. Pherist.
3. Unopened envelope bearing 5 seals entitled Original Receipt dated 15-5-25 granted by Messrs. M. C. Lakshmipathaiya and A. Shantaraja Sastry and bearing the signature of Mr. M. Narain Rao, Amildar, Chennarayapatna in two places on the reverse and dated 1-8-31.
4. Original letter containing 3 sheets from Mr.M. L. Vardharanaiya to Messrs. J. P. Dharanaiya and others dated 27-10-25.
5. Proceedings of "ಮೈಸೂರಿನಲ್ಲಿ ಜೈನವಿದ್ಯಾಭಿವೃದ್ಧಿ ಸಂಘವನ್ನು ಸ್ಥಾಪಿಸಿದ್ದರ ಬಗ್ಗೆ ಎಂಬಲಿಸಿಕೊಂಡದ್ದು"
6. Subscription list of the Jaina Education Fund Association (Original)
7. Abstract Account (ಗೊಂಪಿಸ್ತಾರ) bearing the signature of M. L. Vardharanaiya.
8. Accounts (three sheets)
9. Printed notification. ಪ್ರಾನಿಕ ಪತ್ರಿಕೆ

Public Prosecutor,

Mysore Division.

Appendix F G—1]

SUBJECT .....

.....

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Section

File No.

Serial No.

Diary No. of letter replied to .....

No. P. 3450

To The D.C. Hassan

Sir,

I am directed

to forward herewith Copy of the

letter No. 448 dated 16.12.31 received

from the Apr. Mysore in the

matter of the proposed suit for

the recovery of Kalan Collections

of Mahamastakabhisheka at

Sravanabelagola, and to

request that necessary

instructions as to the

safe custody of the docu-

ments mentioned in the

List of enclosures .....

list may be sent to the Ppr, and

Copied by ..... the matter reported

to Govt for information.

have etc

Examined by .....

Trochiet 6/7

WD 71—GPRM—40,000—20-7-31

first ~ and is likely to take same
time for final order being passed,
the safest method of the
preservation of the documents may
kindly be suggested early.

I have etc

for Ch. Secy

Immediate & Confidential.

No 922 — Treat file as Mtg

2nd January 1932.

Pr Encl-enclosed.

The

The Muzrai Commissioner in Mysore,

Bangalore.

With reference to correspondence ending with my letter No.2684/Muz.96-28-9 dated 16th June 1931 regarding the recovery of amounts collected at the last Mahamastakabhisheka at Sravanbelagola I am directed to state that both the Public Prosecutor of Mysore and the Government Advocate are of opinion that before filing a suit the Deputy Commissioner of Hassan may, in the exercise of his powers as a Muzrai Officer, call upon Mr.M.C.Lakshmipathaiya and other concerned persons to elicit all available information in the matter. I am accordingly to request you to be so good as to instruct the Deputy Commissioner to issue a notice to them and record their statements on the points raised in the Government letter No.1475/Muz.210-26-2 dated 9th February 1927 and submit a report.

Necessary further action may be kindly arranged to be taken promptly and the result reported to Government.

The relative Secretariat file containing legal opinion is herewith sent for reference and return.

I have the honour to be,
Sir,
Your most obedient servant,

Ajubba Rao
for Financial Secretary to Government.

Law Secy for perusal & return
9/1 BNL.2.

Copy of this may be sent to D.C. Mysore

Sub? for perusal.

To. Mtg. Br. & accts

TSD 9/1 No 95 | 812-1-32 & P. Pr Mysore TSD 9/1

As per suggestion of the Law Secy
they have been this day issued to the
Govt of Mysore Dept

Appendix F G—1]

Immediate & Urgent

SUBJECT .....

.....

.....

An extra copy for the file to be typed with seps over.

Section

File No.

Serial No.

Diary No. of letter replied to .....

No 922 Encl 10 folios

To The Mag Coast

Sir,

Regarding the recovery of Amounts collected at the last Mahamuda at Kabbithekka.

I am directed to invite your attention to this office letter No. 1475/Mag. 210-26-2 dated 9-2-27 and to request you to be so good as to instruct the D.C. of Hassan, to call upon Mr M.C. Lakshmipathaiya and such other persons as had to do with the subject under reference, in the exercise of his powers as a Magisterial Officer, and take their statements with a view to record detailed information on all the points raised in the letter under reference, as it is learnt that Mr Lakshm.

General and Revenue Secretariat

( )

the 193

With reference to correspondence ending with my letter No. 1684 dated 18th January 1927

Date of issue .....

Signed by .....

List of enclosures .....

Copied by .....

Examined by .....

Pathaja ~~and Thentray Lahy~~
among others is in possession of volumi-
nous records connected with the
donations and subscriptions
paid or promised by the Dawoodi
Bohra Mahomedans of
Shikka of 1925 which
contain the information ~~on the~~
required by Govt. The necessary work is being done by the Hon'ble D.C., Hyderabad
and the statements are taken as he thinks it would suit his convenience as the case has been
pending for a long time.
The enquiry has to be
carefully and promptly
proceeded with and a full
report required to be submitted before
the End of February 1932. If for any reason, the party evade the enq
of the Mamlatdar's office in this connection that should be reported so that further may be
The matter is urgent. taken orders other steps being in the matter

Yours sincerely

Necessary further action
may be taken by him
according to the
promptly and the
~~report~~ ~~to be~~
which ~~should~~ should
be sent.

The whole matter
early by 1st June
further action
and also

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

2981/31

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT,

Dated, Hassan, the 5th January *193*2

FROM

G. B. HEBLIKAR, ESQ., B.A., LL.B.,
Deputy Commissioner, Hassan District

To

CHIEF SECRETARY
8 JAN. 1932

M. MADHAVA RAO, Esq., B.A., B.L.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

SIR,

Re: the recovery of Kalasa collections of Mahamastakabhisheka at Sravanabelagula and keeping the documents connected therewith in safe custody.

Adverting to your letter No. P. 3450 dated 22nd/23rd December 1931, on the above subject, I have the honour t state that as the documents have to be produced along with th plaint the Public Prosecutor has been asked to retain them in his safe custody.

I have the honour to be,
Sir,
Your most obedient servant,
G B Heblikar
Deputy Commissioner,
Hassan District.

I.S.D.2.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GENL. & REV. SECRETARIAT. 789 25 JAN. 1932 MUZRAI

M. C. 13]

No. DC 252 & w files 3087

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

Dated, Bangalore, 20th January *193* 2.

23rd

FROM

S. HIRIANNAIYA, ESQ,. M.A., B.L.,
Muzrai Commissioner in Mysore.

SECRETARY 23 JAN. 1932 Ans 29/1

To

Rajasevaparayana
R. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore.
Financial *Departme*

SIR,

With reference to your letter No.922/Muzrai dated 2-1-32 re: very of amounts collected on the last Mahamastakabhisheka at Sravanabelagola, I have the honor to return herewith the relative Secretariat file, the papers of this office being sorted and retained for taking further action in the matter.

I have the honor to be

Sir,

Your most obedient servant,

Hiriannaiya

Muzrai Commissioner.

Appendix F G—1]

SUBJECT .....

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.....

Section Revenue

File No.

Serial No.

Diary No. of letter replied to .....

No 1037 / Revl

To

The Assistant Govt Agent

Western Province

Galle

Sir,

I am directed to invite reference to your office letter No. P.C. 252/30-31 of 23/1/32 returning this office file on the subject of the recovery of amounts collected on account of the Maha Mudaliyar Kabbiketiya at Baddegama, and to state that the file of loose papers with this office under No. 2684 of 13-6-31 and your letter No. 10 of the 18th instant have been received. I am to request

Date of issue 30/1/32

Signed by Mr A. Subba Rao

List of enclosures .....

Copied by MS/CA

Examined by .....

~~on~~ ~~to~~ ~~Return~~ the ~~form~~ ~~does not contain~~
~~the~~ ~~to be returned~~ ~~of~~ ~~any~~

~~the~~ your Office Papers are also ~~among those~~ included in it

D. O. Pe252
30-3

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE

Bangalore, 17th February 1932.

19

Dear Sir,

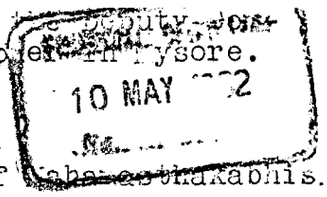
In reply to your D.O. letter No.1054/Muz. dated 30-1-32 re: return of certain papers connected with the amounts collected on the last Mastakabhisheka at Sravanabelagola, I write to inform you that item 10 referred to in the list sent by you pertains to drafts and other papers belonging to this office which had been sent to the Public Prosecutor, Mysore, for reference and transmitted by him to the Secretariat along with his letter. As these papers were required for reference they were retained here. No paper belonging to the Secretariat file is retained here.

Yours sincerely,

M Ramaiah

A. Subba Rau, Esq., B.A., B.L.,
Assistant Secretary to the Government of Mysore,
Financial Department.

Letter No.C.59-31/Muz.19th April 1932 fro[illegible] Deputy Com-
missioner, Hassan District to the Muzrai Commissioner in Mysore.



Subject:- Re: recovery of arrears collections of Gaha-abhishekabhis-
at Sravanabelagola.

With reference to your letter No.P.C.252/30-31 dated 12th April 1932 on the above subject, I have the honor to state that the enquiry adjourned to 20th March 1932 could not be concluded owing to the non-attendance of some of the concerned parties as desired by the Public Prosecutor, Mysore Division and the case had been adjourned to 13th April 1932. On this date neither the parties nor the Public Prosecutor appeared. But Mr. L.G. Lakshmipathaiya who had appeared before us on 12th April 1932 pleaded his inability to remain on the date of hearing for enquiry. I have written a letter to the Public Prosecutor to intimate the convenient date and on hearing from him, a suitable date will be fixed, and after completing the enquiry a final report will be made.

No. PC 252/30-31
29-5-32

Memo.

Copy of the above is forwarded with compliments to the Secretary to Government, Financial Department, for favour of information with reference to his reminder No. 1272 dated 16.3.1932

will be placed on record after the final

For Muzrai Commissioner.

The receipt of a further report may be awaited

Letter No.C.59-31 dated 6th July 1932 from the Deputy Commissioner Hassan District to the Muzrai Commissioner in Mysore.

Subject:- Re:- the recovery of Kalasa collections of Mahamastakabhisheka at Sravanabelagola.

With reference to your letter No.P.C.252/30-31 dated 20th/23rd January 1932 on the above subject, I have the honor to state as follows:-

2. In consultation with the Public Prosecutor, Mysore Division ----- notices were issued in the first instance to Messrs.M. G. Lakshmipathaiah General Secretary of the Mysore Jaina Thirtha Kshetra Committee, Asthana Vidwan A. Shanthiraja Sastry, Nyayathirtha and Brahmappa Tavanappanavr -- President, Mysore Jaina Thirthaksetra Committee, for their appearance on 16th February 1932. As Messrs Brahmappa Tavanappanavar stated that he resigned the Presidentship some two years ago, a notice was issued to the Present President Mr. G.K. Padmarajiah and his attendance was secured on 2nd June 1932 Messrs. M-C.Lakshmipathaiya and Asthanavidwan A. Shanthiraja Sastry appeared on 5th June 1932. Though the Public Prosecutor was requested to be present during the course of enquiry, in order to elicit the points required, he wrote to say on 2nd June 1932 that the enquiry may be postponed till 5th June 1932 and accordingly the case was adjourned. As Messrs. G. K. Padmarajaiah who was present on 2nd June 1932 pleaded his inability to appear on the next date of hearing and -- urged for his statement being recorded, his statement was accordingly - obtained and shown to the Public Prosecutor on 5th June 1932. As -- - regards points, 1, 3, 5 and 7 referred to in the Financial Secretary's letter No.1475/Muz.210-26-2 dated 9th February 1927 he has stated as - follows:-

3. Point 1. The exact circumstances and the purposes for which the collections were made?

He has stated that according to his recollection, the Kalasa sale was conducted for payment of the entire realisation to Government for the construction of a bridge at Mandagere.

4. As regards Point 3. The persons by whom the collections were made, he has stated that about Rs.28,000/- was collected by Mr. Sukhanand --- Sait of Bombay and retained with him; that the correspondence in this behalf is available in the Mysore Jaina Thirtha Kshetra Committee; that Mr. Sukhanand Sait died a year back and his affairs are under the management of his wife and that he does not know from whom the collections were made.

5. As regards point 5 the purposes for which the collections were made he has stated that the same was intended for being credited to Government for the construction of a bridge at Kandagere and that this amount belongs to the Sri Gomateswaraswami temple and the Mutt but he is of opinion that the amount has to be utilised in consultation with the Mysore Jaina --- Thirtha Kshetra Committee.

6. As regards the 7th point re: the claims of the Mutt or any other ---- organisation to the sale proceeds he has merely stated that this kalasa collection belongs to the Mutt and the temple of Sri Gomateswaraswamy which is being worshipped by the Mutt.

7. This gentleman has also stated that he is the President of the Mysore Jaina Thirthakshetra Committee for the past about 2 years; that prior to this Messrs. Brahmappa Tavanappanavar was the President for about two -- years who succeeded the deceased President Mr. M.L. Vardhamaniah.

8. This gentleman was summoned to appear with the proceedings of the "All India Jaina Conference and the 6th Session of the Mysore Jaina -- Association held at Sravanabelagola in the year 1925" for inspection as suggested by the Public Prosecutor but on the date of hearing he did not produce anything. He however stated that the deceased Mr.M.L.Vardhamaniah was the President of the Committee and that he does not know in whose --- possession those documents are.

9. The joint statement of Messrs. M.C.Lakshmipathaiya and Asthanavidwan - Mr. A. Shantharaja Sastry was taken on 5th June 1932 as per points elicited by the Public Prosecutor who was also present at the time. They have stated as follows with regard to the several points at issue.

10. As regards point 1., The exact circumstances and the purposes for which the collections were made they have stated that during the year 1925, the Mysore Jaina Association and the Mysore Jaina Thirthakshetra Committee --- which was then formed decided that the Kalasas should be disposed of in -- public auction, as was done on previous occasion during the Masthakabhisheka and the sale realisations utilised for payment of 1/3 contribution to Government for the construction of a bridge to the Hemavathi River near Kandagere which was under contemplation, that even prior to this the Jaina Association had agreed to pay 1/3 portion of the cost for constructing the bridge at -- Kandagere, that as per this agreement the Kalasas were sold during Masthaka-bhisheka and that they were purchased for 31,065/- by the people residing in

in Bombay Presidency, Indore Marwar, Jaipur and Bengal and that for the bid amount they gave hundies either in the name of the late Mr. M. L. Vardhamaniah or to Mysore Thirthakshetra Committee or to the Mysore -- Jaina Association to be drawn from their kotis which were 34 in number written in the language of their country and handed over to Mr. M.L. Vardhamaniah by the executors of the Hundis and soon after the close of Mastakabhisheka all the 34 Hundis were given to the Swamigalu of the Mutt at the place, for perusal since the Swamiji was the Adhyaksha of the Committee.

11. As regards point 3 the perosons by whom the collections were made they have stated that late Mr. M.L. Vardhamaniah deputed both of them to obtain the 34 Hundis from the Swamiji; that accordingly they went to -- Sravanabelagola, brought the Hundis from the Swamiji and handed them over to the late Mr. M.L.Vardhamaniah that he sent them in June 1925 on behalf o of the Mysore Jainathirtha Kshetra Committee, for which he was the Secretar to Gurumukharai Sukhanand Sait of Bombay for collection, since he has -- constructed a cholultry at Mandagere and had a great desire to see that a bridge is constructed at the place; that during the life time of Mr. M.L. Vardhamaniah Mr. Sukhanand Sait was intimating the collections made by him now and then; that Mr. Vardhamanaiya was replying him that the entire -- amount may be collected and sent to the Mysore Jaina Thirtha Kshetra ---- Committee; that during the life time of Mr. Vardhamaniah about Rs.13,000/- had been collected; that after his death it has been intimated by Mr. Sukhanand Sait to Mr. M.C.Lakshmipathaiah on behalf of the Mysore Jaina Thirthakshetra Committee that about Rs.27000/- has been collected by the end of the year 1928; That Mr. Sukhanand Sait.died about the year 1930 and that according to his correspondence it is in evidence that the amounts -- have been taken into account by Mr. Sukhanand Sait in the name of the --- Mysore Jaina Thirthakshetra Committee and the interest is also being added thereon. They have also stated that All India Jaina Thirthakshetra ---- Committee or Bombay Thirthakshetra Committee have no power to utilise the amount; that the late Mr. Sukhanand Sait is issueless and his widow is living in Mahavabagh, Bombay; that the amounts collected on Hundis is -- ascertained to be under her control; that they, on behalf of the Mysore Jaina Thirthakshetra Committee demanded through writing and in person for the payment of the amount; that she said that on a deputation to His --

His Highness the Maharaja in February 1927, late Mr. Sukanand Sait and other Jain people at Bombay, His Highness promised that the question of constructing a bridge at Mandagere is under contemplation and that the Mysore Jaina Thirthakshetra Committee has to arrange for the same and that as regards the amount in her possession she is prepared to pay - the same in kind or by ~~in her possession she is prepared to pay the same in kind or by~~ instalments as she is in trouble.

12. As regards points 5 and 7, the purposes for which the collections were made and the claims of the Mutt or any other organisation to the - sale proceeds they have stated that this was collected for the payment of 1/3 contribution to Government towards the cost of constructing a bridge at Mandagere. They have also stated that the entire amount on Hundies is at the disposal of the Mysore Jaina Thirthakshetra Committee, according to Rule 26 of the articles of association which says that 75% of the amount should be utilised for the renovation works at Sravana-belagola and 25% for the renovation works ~~of~~ of the other Thirthakshetr as but this rule applies only in case the original idea of the Akhanda Jaina Mandali could not be carried out and that they are fully aware that the Committee would co-operate and give all possible help, if the Government is going to take action for the recovery of the heavy amount remaining outside the State on behalf of the Committee, etc.,

13. Besides the above these two gentlemen Messrs. M.C. Lakshmipathiah and A. Shantharaja Sastry have admitted that they are the Honorary General Secretarties and Executive Committee Members respectively of the Mysore -- Jaina Association and the Mysore Jaina Thirtha Kshetra Committee from the last Masthakabhisheka. Mr. M. C. Lakshmipathiya has stated that the ---- deceased Mr. M.L. Vardhamaniah is his brother-in-law and that he was --- assisting the deceased in all his doings during the Mastakabhisheka. These people have produced the articles of Association of the Mysore Jaina ---- Thirthakshetra Committee and the same is herein enclosed for favour of -- perusal.

14. The statements given by them are herein enclosed, in original, for necessary action.

15. The connected vernacular paper files received with your letter under reply accompanies.

"C o p y"

For Huzrai Commissioner.

IMMEDIATE AND CONFIDENTIAL.

M. C. 13]

No. PC 252 Evel 17th 30-31

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE.

Dated, Bangalore, 14th July 15 *1932.*

FROM S. P. RAJAGOPALACHARI, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

15 JULY 1932

To

GENL. & REV. SECRETARIAT. 18 JUL. 1932 102 MUZRAI.

...S....Shamanna,...Esq.,...B.A.,.....,
Secretary to the Government of His Highness the Maharaja of Mysore.
.....Financial.....*Department.*

9/1617

SIR,

Referring to correspondence ending with your letter No.922/Muz. dated 2nd/4th January 1932 re: the recovery of amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I have the honor to forward herewith copy of letter No.C.59-31 dated 8th July 1932 from the Deputy Commissioner, Hassan District, submitting a report of the enquiry conducted by him in pursuance of the direction contained in your letter under reply together with the statements of Messrs. Padmarajiah, Lakshmipathiah and Santharaja Sastry. The points raised in your letter No.1475/Muz.210-26-2 dated 9th February 927 have been answered seriatim.

The entire file of vernacular papers is enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

No.P.504/Law 16-31-3 (Enc.7) Addl. Dist. Govt. Bharath

22nd July 1932.

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Public Prosecutor,
MYSORE.

Suit against Messrs:M.C.Lakshmipathaiya and others for recovery of the proceeds of 34 hundis entrusted to them by the late Swami of Sravanabelgola.

Sir,

With reference to your letter No. 298 dated 25th October 1931 forwarding for consideration a draft plaint in the above case and in continuation of the Financial Secretary's Memo No. 951/Muz dated 12th January 1932, I am directed to forward herewith the copy of the Muzrai Commissioner's letter No.PC 252/30-31 dated 15th July 1932 together with a copy of the report of the enquiry conducted by the Deputy Commissioner, Hassan as per your advice in the matter.The enclosures to the said report and the marginally noted Secretariat files are also herewith sent for reference. I am now to request you to further examine the points raised by you in your letter under reference and resubmit to Government at a very early date the draft plaint duly revised if necessary.

Muz. 96-28 sls.1-9
" 210-26 sls.1-7

The receipt of this letter may kindly be acknowledged.

I have the honour to be,

Sir,

Your most obedient servant,

For General Secretary to Government.

TSD

No P. 594/Case (7) 2 Chits, 1 Ver. Record, 4 Seat files.

Subject: Suit against Messrs M.C.L. Arsekularatne & others for recovery of the proceeds of Bs 4 bonds entrusted to them by the late Swami of Sivanabelgola

With reference to your letter no: 298 dated 25th Oct 1931 forwarding for consideration & approval a draft plaint in the above case & in cont[n] of the Fin Sec's memo: No: P 951 dated 12-1-32, I am directed to forward herewith the Copy of the Hon Conn's letter No: Pers 2/30-3, dated 15th July 1932 together with a copy of the report of the enquiry conducted by the D.C. Hassan as per your advice in the matter. The enclosures to said letter and the marginally noted seat files, the said report are also herewith sent for reference. I am now to request you to further examine the points raised by you in your letter under reference at a very early date and resubmit to Govt for approval the draft plaint duly revised if necessary. The receipt of this letter may kindly be acknowledged. The matter may kindly be treated as very urgent and any further delay in this

Suit I have

Appendix F G—1]

SUBJECT .....

.....

.....

General and Revenue Secretariat

( )

the *193*

Date of issue .....

Signed by .....

Mysg. 96-28 Sh. 1-9
" 210-26 Sh. 1-7.

List of enclosures .....

Copied by .....

Examined by .....

Section

File No.

Serial No.

Diary No. of letter replied to ..... No

To The PRr Mysore

Sir

I am directed to return herewith the draft plaint re the proposed Suit for the recovery of the Amounts Collected on the occasion of the last Mahamastakabhisheka at Sravanabelgola sent with your letter no. 108 dated 25th Oct 1931 together with a copy of the Mysg. Govt's letter no. PC 252 dated 5th July 1932 and its enclosures and to request that the Same may be duly ~~revised~~ revised ~~and submitted~~ ~~after~~ if necessary after further Examination of the points raised by you, and re-sub^d for approval of Govt.

The magnetic noted Sch^H files are also sent for reference and return.

I have etc

for Secretary

WD 71—GPBM—40,000—20-7-31.

Copy to the Mysg. Govt^t

1772 P 1932 53

No.214/1 Mysore, dated 22nd September 1932.

From

The Public Prosecutor,

Mysore Division,

Mysore

To

The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, Bangalore.

GENERAL SECRETARY 23 SEP. 1932 No. Law

Sir,

MP 23.9

I have the honour to acknowledge the receipt of your letter No.1676 dated 19/20-9-32 reminding me of the non-submission of the draft plaint in the proposed Kalasa collections suit and to state that I have just ascertained from a Bombay friend of mine the name and address of the widow of the late Gurumukhrai Sukhanand Sait, who is to be impleaded as the third defendant in the suit. It is learnt that the minor adopted son of Sukhanand Sait is no more and in all probability the adoptive mother herself is his heir. The letter received from Bombay is enclosed herein.

The revised draft of the plaint will be submitted by the end of this month.

I have the honour to be,

Sir,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

2 for perusal

MP 22/9

A def. remarks put up

Law 13/10/32

13/10

Peerbhoy Mansions,
Sandhurst Road,
Bombay, 10.9.'52

My dear Mr. Ramaswamy,

owe you an apology for the delay in replying your confidential letter. On full enquiries I learn that late Mr. Sukanand Shet has got only one wife by name Burabai aged about 48/50. It is further learnt the adopted boy is no more now. The wife is the only surviving person in the family and everything is managed by her. She is staying on the 2nd floor of Panachand Manachand Building, opposite to Khabuthra Khana, Bulleswar, Bombay. If you want any further information in this connection, I will make further enquiries and supply you.

My B.Cs to our friend Mr. Munivenkatappa.

We are all doing well.

Trusting that this will find you and family members in the enjoyment of excellent health,

I remain,
Yours sincerely,

K. Ramaswamy

K. Ramaswamy, Esq., B.A., B.L.,

Public Prosecutor,

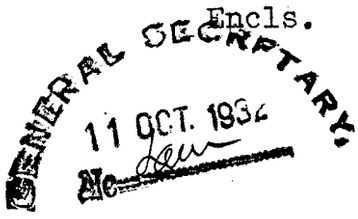
Mysore

Law 16-31-4

Confidential.

No. 237 Dated Mysore, the 1st / 6th October 32.

Encls. 1 Draft plaint with one spare copy.
2 Vernacular file of records.
4 Secretariat collections
1 Copy of letter.



From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The General Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Section, Bangalore.

Sir,

Subject:- Suit against Messrs. M.C.Lakshmipathaiya and others for the recovery of the proceeds of 34 hundis entrusted to them by the late Swami of Sravanabelgola.

1) With reference to your letter No.504 Law 16-31 dated 22/25-7-32 forwarding copy of the report of enquiry conducted by the Deputy Commissioner, Hassan District, together with the Secretariat files on the subject and calling for the submission of a revised draft plaint, I have the honour to submit the enclosed draft for the approval of Government.

2) The statement given by Messrs. Lakshmipathaiya and Shantaraja Sastry before the Deputy Commissioner, Hassan, makes it clear that the object of the Kalasa collections of 1925 was no other than the contribution from the Jain community towards the cost of constructing a bridge at Mandagere. These gentlemen have raised only one

one objection viz: that the Mysore Jain Thirthakshetra Committee has a voice in the disposal of the Kalasa collections (vide page 13 of the printed rules filed by them on 5-6-1932). But this objection is not of much consequence as the character and purpose of the Trust created at the time of the Kalasa collections have been admitted by them in their receipt dated 15-5-25. Mr. G. K. Padmarajaiya, the present President of the Committee in his statement recorded before the Deputy Commissioner, Hassan, has made a similar statement.

5) Seth Gurumukhrai Sukhanand is dead. His widow is impleaded as the 4th defendant. She is the sole heir to her deceased husband. According to the statement given by Messrs. Lakshmipathaiya and Shantaraja Sastry, she is the present custodian of the Kalasa collections. It is further stated that the lady is of a charitable disposition and is willing to pay the money to Government on the assurance that it will be utilized for the construction of the Mandagere bridge. We have no direct information as to her attitude but it seems probable that the lady does not intend withholding a trust fund like the Kalasa collections. The late Mr. Sukhanand Seth has constructed a Dharmasala at Mandagere and the 4th defendant is naturally interested in the maintenance of the charity founded by her husband for the convenience of Jain pilgrims passing through Mandagere to visit the shrines at Sravanabelgola. But the letter dated 2-8-1929 addressed by her husband to the Muzrai Commissioner sounds a different note. The letter (vide Muzrai Commissioner's file) is to the effect that the late Mr. Sukhanand Seth held the Kalasa collections in his capacity as Treasurer of the Bombay Thirthakshetra Committee. I am given to understand by defendants 1 and 2 that the Bombay

Bombay Committee has made strenuous efforts without success to recover the amount from the 4th defendant. I have therefore thought it necessary to implead the Bombay Committee as 5th defendant in the suit as the latter might eventually contest our claim to recover the Kalasa collections from the 4th defendant.

4) I crave permission to explain one another aspect of the proposed suit. The Kalasa collection funds are actually in the hands of a foreign subject. The pious wishes of the 4th defendant and her laudable object of perpetuating the memory of her departed husband are of no practical use to us unless the lady makes up her mind to deposit the amount in the Mysore Government Treasury. Defendants 1, 2 and 3 do not seem to be in a position to successfully persuade the lady to part with the funds. Should there be no response from defendants 4 and 5 to the summons issued from the Court, there will be an ex-parte decree which will have no immediate effect a against foreign subjects.. Defendants 1 and 2 have stated that the 4th defendant is really willing to pay the money to Government and that she is only waiting for an assurance from Government that the amount will be utilized for the construction of the Mandagere bridge. It is submitted that there is no harm in requesting her by letter to pay the amount to Government on the assurance that the money will be ear-marked and spent for the construction of the Mandagere bridge when the project is taken up. The lady seems to be of the opinion (and the opinion is shared by the whole Jain community) that the Mandagere project has been abandoned once for all. While on this subject I would invite reference to the minute of the First Member dated 9-5-31 which runs as follows:-

" The amount was offered as the contribution of the Jain Community towards the construction of a bridge at Mandagere. The Akki-hebbal bridge has now been taken up in preference to the Mandagere bridge. I am not sure if it is right to hold that the construction of the Mandagere bridge has been abandoned for all time. If there is any prospect, however remote, of this bridge being taken up - on this point we might consult the Public Works Department - the amount in question might be held in deposit and utilized towards the construction of that bridge when it is undertaken. At any rate, we shall have to bring this point to the notice of the Swami and it is for him to decide how the money should be disposed of."

His Holiness the Swamigalu of the Math has not till now been requested to move in the matter of recovering the Kalasa collections from the 4th defendant. Considering the high esteem and reverence in which His Holiness is held by the Jain community an appeal emanating from him to defendants 4 and 5 is likely to persuade those staunch disciples of the Institutions to refund the Kalasa collections. It is learnt that the collections were made in the presence of Danaveera Rajyabhushana Sir Hukumchand Seth of Indore who presided at the All-India Jain Conference held at Sravanabelgola in 1925. Sir Hukumchand Seth seems to have made the first and the highest bid at the Kalasa offerings to Gommateswara. He is therefore interested in seeing that the monies collected on the occasion of the Maha-Masthakabhisheka are duly accounted for and held in deposit by the Government ill utilized for the purpose for which they are intended. The expediency of recovering this large sum of money through the good offices and

and mediation of His Holiness the Swamigalu and of Sir Hukumchand Seth may, if necessary, be considered before instituting the suit.

6) The records forwarded to this office with your letter quoted above are herewith returned. The records of the Muzrai Commissioner's office have not been received this time. An unopened sealed cover received from the Amildar of Channarayapatna said to contain the original receipt granted by Messrs. Lakshmipathaiya and Shantaraja Sastry is in my safe custody.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

In the Court of the District Judge, M y s o r e

Original Suit No. of 1932-33.

Deputy Commissioner,
Hassan District, Hassan. Plaintiff.

Versus

1. Mr. M. C. Lakshmipathaiya,
Dodpet, Mysore.

2. Mr. A. Shantaraja Sastry,
Editor, " Viswabandhu ",
Old Post Office Road, Mysore.

3. The Mysore Jain Thirthakshetra
Committee, Mysore, by its President,
Mr. G. K. Padmarajaiya,
Dodpet, Mysore.

Defendants.

4. Mrs. Burabai, age about 48 years,
Widow of Seth Gurumukhrai Sukhanand
residing at Panachand Manachand
Buildings,(2nd floor) Opposite
Khabutra Khana, Buleswar, Bombay.

5. The All-India Jain Digamber
Thirthakshetra Committee by its
Honorary General Secretary, Seth
Chunilal Hemchand, Heerabag, Bombay

Plaint under Order VII Rule 1, C. P. C.

The Plaintiff abovenamed begs to state as follows:-

1. The addresses of the parties for purposes of service of summonses and notices are as described above.

2. The village of Sravanabelgola in the Channarayapatna Taluk is a renowned place of pilgrimage of the Jain Digamber Community

Community scattered all over India. There are numerous Jain Temples in the said village in each of which is installed an image of Gommateswara. The famous monolithic (rock-cut) image of Gommateswara on the Doddabetta is the biggest statue and is regarded by the Jain Digamber Community as the Deity entitled to the highest veneration.

3. There is also situated in the said villag of Sravanabelgola the monastery or Math of Sri Charukeerti Panditacharya. The Swamigalu for the time being of the Math is the High Priest a Manager of the temples. The late Maharaja Sri Krishnaraja Wodeyar III granted a Sannad in the year 1830 creating an endowment of three inam villages to the Math for the maintenance of the temples for meeting the expenses connected with the customary periodical worship of the images and to provide for the offerings, lamps and repairs of the said temples. By virtue of the said Sannad the Swamigalu of the Math became entitled to all the rights and taxes within the boundaries of the Sarvamanya villages. He was also authorized to receive toll at the fair held at Sravanabelgola and to use the amounts collected for the service of God. The Swamigalu was further authorized to collect as part of the endowment various kinds of taxes and voluntary contributions and enjoy numerous perquisites and emoluments in his capacity as High Priest and Manager of the temples. All the customary ceremonies connected with the worshi of the deities in the temples are performed under the direction, control and supervision of the Swamigalu. All the income from the villages

villages from whatever source derived is the property of the Math of Sri Charukeerti Panditacharya intended to be utilized for the thirty-three temples mentioned in the Sannad.

4. At certain conjunction of the heavenly bodies at intervals of several years and at enormous cost the Maha-Masthakabhisheka or the Head Anointing ceremony of Gommateswara is performed. The day of anointing for the statue of Gommateswara on Doddabetta is a great day and thousands of pilgrims congregate at Sravanabelgola from all parts of India. Among the several kinds of divine service performed at Doddabetta on the occasion of the grand ceremony is the Abhisheka proper of the contents of one thousand and eight Kalasas (painted earthenware pots filled with sacred water) on the head of Gommateswara. In the final anointing ceremony, besides other substances, gold and silver flowers, precious gems and silver coins are put into the Kalasas, offered to the Deity and collected by the master of the ceremonies viz: the Swamigalu, for the use of the Math.

5. The Math and the temples referred to above are Muzrai Institutions. The Sarvamanya villages granted by the late Maharaja Sri Krishnaraja Wodeyar III and his predecessors have for a number of years been under the management of the Governme of His Highness the Maharaja of Mysore. The selection of the Swamigalu and his appointment as Mathadhipathi are the prerogative of His Highness the Maharaja. The Swamigalu administers the trus under the control and supervision of the Governmen

6. The ceremony of Maha-Masthakabhisheka costs about Rs.30,000/- for its performance. In olden times the performance of the ceremony used to be undertaken and financed by Maharajas, rich Mathadhipathis or by raising public subscription.

7. The last occasion of the Maha-Masthakabhisheka was in the month of March 1925. On 9-11-1924 a Committee called the Puja Committee was organised at Sravanabelgola with the then Swamigalu (Sri Charukeerti Panditacharya) as President and the late Mr. M. L. Vardhamanaiya of Mysore as Secretary. The objects of the Puja Committee were to concert measures and to collect money for defraying the expenses of the ensuing Maha-Masthakabhisheka. On 25-11-1924 circular appeals and invitations were issued by the Committee to the members of the Jain Digamber Community and the monies collected in response to the appeals were spent by the Committee for meeting the expenses connected with the arrangements made for the Puja.

8. At the time of the anointing ceremony referred to above there was rivalry among the devotees for priority in the order of precedence in lifting and pouring the contents of the Kalasa on the head of Gommateswara. It was then agreed by common consent that the right of precedence should be sold by public auction among the devotees themselves, and whoever offered to pay the highest amount to the Deity was entitled to worship first and so on in regular sequence. The auction sales were conducted under the supervision of the late Swamigalu. At the said sales a sum of Rs.31,065/ was collected in the shape of 34 hundis drawn by the

successor to the Peetha. The Seat was vacant till June 1928 when the present Swamigalu (His Holiness Sri Nemisagaraswamiji) was duly selected by the Government and installed in the Chair of Charukeerti Panditacharya at the Sravanabelgola Math.

12. On 31-10-1926 the former agent of the Math moved the Plaintiff by petition to take suitable action for recovering the amounts due on the 34 hundis entrusted to defendants 1 and 2 on 15-5-25. After enquiry and report to Government defendants 1 and 2 were called upon to render detailed account of the hundis and furnish information as to how many of them were realised and what was the cash actually available, and to credit the amounts so far realised to the Government Treasury. The first defendant abovenamed stated in his letter dated 14-3-1928 that he had forwarded the hundis to the 5th defendant for collection; again in his letter dated 2-10-1928 he stated that a sum of Rs.27,058-0-9 had been realised and was in deposit with the husband of the 4th defendant. The 4th defendant's husband was directly written to by the Muzrai Commissioner on 2-8-1929 requesting an early remittance of Rs.27,058-0-9. He stated in reply that all the hundis which were cashed by him had been drawn in favour of the Honorary General Secretary (5th defendant) of the All-India Jain Digamber Thirthakshetra Committee of which he was the Treasurer and that he was unable to do anything in the matter without the sanction of the said Committee. Defendants 1 and 2 have stated that the amounts realised from the hundis are in deposit with the 4th defendant and that the 5th defendant

5th defendant has no manner of interest in the fund collected at the Maha-Masthakabhisheka.

13. The funds collected prior to and during the Maha-Masthakabhisheka of March 1925 were the result of the late Swamigalu's appeal to the Jain congregation and the collection in the shape of hundis was actually made by the Swamigalu and were entrusted to defendants 1 and 2 as they were assisting the late Mr. M. L. Vardhamanaiya in the collection of subscriptions as well as the management of the Puja arrangements. The funds collected during the Puja were trust funds belonging to the Matn. The Math was in actual custody of the hundis till they were delivered to defendants 1 and 2 on their promise to collect the proceeds and deposit them in the Government Treasury in the name of the Swamigalu. The 3rd defendant is the President of the Mysore Jain Thirthakshetra Committee. The said Committee seems to claim the right of disposal over the said Kalasa collections. The 4th defendant's husband was the custodian of the said thirty-four hundis with full knowledge of their character as trust funds. As he set up an incorrect plea that he held the hundi realisations as Treasurer of the 5th defendant the latter is impleaded in the suit. All the defendants are aware of the fiduciary character of the Kalasa collections and the entrustment of the hundis by the late Swamigalu to defendants 1 and 2. The Plaintiff in his capacity as District Muzrai Officer is the controlling authority of the funds belonging to the Math. Hence the suit against all the defendants for the recovery of the value of the 34 hundis together with interest thereon by way of damages. The 4th defendant's husband died about two years ago leaving him surviving the said 4th

4th defendant as his sole heir. She is in possession of the proceeds of the hundis as also the assets of her deceased husband.

14. Cause of action arose at Sravanabelgola on 15-5-1925 within the jurisdiction of this Hon'ble Court. The hundis were entrusted on that day to defendants 1 and 2 for collection and payment to Government on behalf of the Jain Community in the name of the Swamigalu as contribution for construction of the bridge at Mandagere. Defendants 1 and 2 in their turn entrusted the hundis for collection to the 4th defendant's husband. There is no bar of limitation to this suit as the case is covered by Section 10 of the Limitation Regulation.

15. Prayer for Judgment. The Plaintiff prays for a decree jointly and severally against defendants 1, 2 and 4 directing them

(1) to account for the collection of the proceeds of 34 hundis of the face value of Rs.31,065-0-0 entrusted to them by the Swamigalu as aforesaid;

(2) to deposit the said amount together with interest thereon at 6% per annum till date of payment with the Plaintiff;

(3) to pay the costs of this suit and grant such other reliefs as the nature of the claim may require.

16. The value of suit for purposes of jurisdiction and Court fee is as follows:-

Face value of 34 hundis.	Rs.31,065-0-0
Interest thereon at 6% per annum from 15-5-1925 till date of suit 15-11-1932.	Rs.13,979-4-0
Total	Rs.45,044-4-0

Rs.1,425-0-0 being the Court fee on the said sum are paid in stamps.

Deputy Commissioner,
Hassan District.

I, Mr. T. G. Rama Iyer, B. A., Deputy Commissioner, Hassan District, the Plaintiff abovenamed do solemnly affirm that the facts stated above are all true to the best of my information abd belief.

Deputy Commissioner,
Hassan District.

In the Court of the District Judge, M y s o r e

Original Suit No. of 1932-33.

Deputy Commissioner,
Hassan District, Hassan. Plaintiff.

Versus

1. Mr. M. C. Lakshmipathaiya,
Dodpet, Mysore.

2. Mr. A. Shantaraja Sastry,
Editor, " Viswabandhu ",
Old Post Office Road, Mysore.

3. The Mysore Jain Thirthakshetra
Committee, Mysore, by its President,
Mr. G. K. Padmarajaiya,
Dodpet, Mysore.

4. Mrs. Burabai, age about 48 years,
Widow of Seth Gurumukhrai Sukhanand
residing at Panachand Manachand
Buildings,(2nd floor) Opposite
Khabutra Khana, Buloswar, Bombay.

5. The All-India Jain Digambar
Thirthakshetra Committee by its
Honorary General Secretary, Seth
Chunilal Hemchand, Hoorabag, Bombay

Defendants.

Plaint under Order VII Rule 1, C. P. C.

The Plaintiff abovenamed begs to state as follows:-

1. The addresses of the parties for purposes of service of summonses and notices are as described above.

2. The village of Sravanabelgola in the Channarayapatna Taluk is a renowned place of pilgrimage of the Jain Digambar Community

Community scattered all over India. There are numerous Jain Temples in the said village in each of which is installed an image of Gommateswara. The famous monolithic rock-cut image of Gommateswara on the Doddabetta is the biggest statue and is regarded by the Jain Digamber Community as the Deity entitled to the highest veneration.

3. There is also situated in the said village of Sravanabelgola the monastery or Math of Sri Charukeerti Panditacharya. The Swamigalu for the time being of the Math is the High Priest and Manager of the temples. The late Maharaja Sri Krishnaraja Wodeyar III granted a Sannad in the year 1830 creating an endowment of three inam villages to the Math for the maintenance of the temples for meeting the expenses connected with the customary periodical worship of the images and to provide for the offerings, lamps and repairs of the said temples. By virtue of the said Sannad the Swamigalu of the Math became entitled to all the rights and taxes within the boundaries of the Sarvamanya villages. He was also authorized to receive toll at the fair held at Sravanabelgola and to use the amounts collected for the service of God. The Swamigalu was further authorized to collect as part of the endowment various kinds of taxes and voluntary contributions and enjoy numerous perquisites and emoluments in his capacity as High Priest and Manager of the temples. All the customary ceremonies connected with the worship of the deities in the temples are performed under the direction, control and supervision of the Swamigalu. All the income from the villages

villages from whatever source derived is the property of the Math of Sri Charukeerti Panditacharya intended to be utilized for the thirty-three temples mentioned in the Sannad.

4. At certain conjunction of the heavenly bodies at intervals of several years and at enormous cost the Maha-Masthakabhisheka or the Head Anointing ceremony of Gommateswara is performed. The day of anointing for the statue of Gommateswara on Doddabetta is a great day and thousands of pilgrims congregate at Sravanabelgola from all parts of India. Among the several kinds of divine service performed at Doddabetta on the occasion of the grand ceremony is the Abhisheka proper of the contents of one thousand and eight Kalasas (painted earthenware pots filled with sacred water) on the head of Gommateswara. In the final anointing ceremony, besides other substances, gold and silver flowers, precious gems and silver coins are put into the Kalasas, offered to the Deity and collected by the master of the ceremonies viz: the Swamigalu, for the use of the Math.

5. The Math and the temples referred to above are Muzrai Institutions. The Sarvamanya villages granted by the late Maharaja Sri Krishnaraja Wodeyar III and his predecessors have for a number of years been under the management of the Government of His Highness the Maharaja of Mysore. The selection of the Swamigalu and his appointment as Mathadhipathi are the prerogative of His Highness the Maharaja. The Swamigalu administers the trust under the control and supervision of the Government.

6. The ceremony of Maha-Masthakabhisheka costs about Rs.30,000/- for its performance. In olden times the performance of the ceremony used to be undertaken and financed by Maharajas. rich Mathadhipathis or by raising public subscription.

7. The last occasion of the Maha-Masthakabhisheka was in the month of March 1925. On 9-11-1924 a Committee called the Puja Committee was organised at Sravanabelgola with the then Swamigalu (Sri Charukeerti Panditacharya) as President and the late Mr. M. L. Vardhamanaiya of Mysore as Secretary. The objects of the Puja Committee were to concert measures and to collect money for defraying the expenses of the ensuing Maha-Masthakabhisheka. On 25-11-1924 circular appeals and invitations were issued by the Committee to the members of the Jain Digamber Community and the monies collected in response to the appeals were spent by the Committee for meeting the expenses connected with the arrangements made for the Puja.

8. At the time of the anointing ceremony referred to above there was rivalry among the devotees for priority in the order of precedence in lifting and pouring the contents of the Kalasas on the head of Gommateswara. It was then agreed by common consent that the right of precedence should be sold by public auction among the devotees themselves, and whoever offered to pay the highest amount to the Deity was entitled to worship first and so on in regular sequence. The auction sales were conducted under the supervision of the late Swamigalu. At the said sales a sum of Rs.31,065/- was collected in the shape of 34 hundis drawn by me

the Jain merchants of the Bombay Presidency and given to the custody of the then Swamigalu.

9. Mandagere, a station on the Mysore-Arsikere line is the nearest rail-head for pilgrims arriving from the Bombay Presidency to approach Sravanabelgola. Mandagere being on the off-side of the river Hema.....i a bridge across the river has been a long felt want and its construction would add to the convenience of pilgrims visiting Sravanabelgola. Accordingly the pilgrims assembled at the Maha-Masthakabhisheka resolved with the consent of the then Swamigalu that the proceeds of the auction sale of Kalasas should be collected and paid to the Government of Mysore in the name of the Swamigalu as contribution of the Jain Community towards the cost of the Mandagere bridge.

10. Defendants 1 and 2 abovenamed worked in collaboration with the late Mr. M. L. Vardhamanaiya for the successful termination of the ceremony of Maha-Masthakabhisheka. On 15-5-1925 the then Swamigalu entrusted to them the aforesaid 34 hundis with a direction that the monies due thereon should be collected and credited to Government in the name of the Swamigalu as contribution towards the cost of construction of the Mandagere bridge. The receipt granted by defendants 1 and 2 at the time of entrustment of the said 34 hundis is herewith filed.

11. A few months later the Swamigalu of the Math fell ill and he departed life on 26-1-26. As he died without nominating a successor disputes arose among the members of the Jain Community regarding the selection of a competent and qualified successor

successor to the Peetha. The Sec. was vacant till June 1928 when the present Swamigalu (His Holiness Sri Nemisagaraswamiji) was duly selected by the Government and installed in the Chair of Charukeerti Panditacharya at the Sravanabelgola Math.

12. On 31-10-1926 the former agent of the Math moved the Plaintiff by petition to take suitable action for recovering the amounts due on the 34 hundis entrusted to defendants 1 and 2 on 15-5-25. After enquiry and report to Government defendants 1 and 2 were called upon to render detailed account of the hundis and furnish information as to how many of them were realised and what was the cash actually available, and to credit the amounts so far realised to the Government Treasury. The first defendant abovenamed stated in his letter dated 14-3-1928 that he had forwarded the hundis to the 5th defendant for collection; again in his letter dated 2-10-1928 he stated that a sum of Rs.27,058-0-9 had been realised and was in deposit with the husband of the 4th defendant. The 4th defendant's husband was directly written to by the Muzrai Commissioner on 2-8-1929 requesting an early remittance of Rs.27,058-0-9. He stated in reply that all the hundis which were cashed by him had been drawn in favour of the Honorary General Secretary (5th defendant) of the All-India Jain Digambar Thirthakshetra Committee of which he was the Treasurer and that he was unable to do anything in the matter without the sanction of the said Committee. Defendants 1 and 2 have stated that the amounts realised from the hundis are in deposit with the 4th defendant and that the 5th defendant

5th defendant has no manner of interest in the fund collected at the Maha-Masthakabhisheka.

13. The funds collected prior to and during the Maha-Masthakabhisheka of March 1925 were the result of the late Swamigalu's appeal to the Jain congregation and the collection in the shape of hundis was actually made by the Swamigalu and were entrusted to defendants 1 and 2 as they were assisting the late Mr. M. L. Vardhamanaiya in the collection of subscriptions as well as the management of the Puja arrangements. The funds collected during the Puja were trust funds belonging to the Math. The Math was in actual costody of the hundis till they were delivered to defendants 1 and 2 on their promise to collect the proceeds and deposit them in the Government Treasury in the name of the Swamigalu. The 3rd defendant is the President of the Mysore Jain Thirthakshetra Committee. The said Committee seems to claim the right of disposal over the said Kalasa collections. The 4th defendant's husband was the custodian of the said thirty-four hundis with full knowledge of their character as trust funds. As he set up an incorrect plea that he held the hundi realisations as Treasurer of the 5th defendant the latter is impleaded in the suit. All the defendants are aware of the fiduciary character of the Kalasa collections and the entrustment of the hundis by the late Swamigalu to defendants 1 and 2. The Plaintiff in his capacity as District Muzrai Officer is the controlling authority of the funds belonging to the Math. Hence the suit against all the defendants for the recovery of the value of the 34 hundis together with interest thereon by way of damages. The 4th defendant's husband died about

4th defendant as his sole heir. She is in possession of the proceeds of the hundis as also the assets of her deceased husband.

14. Cause of action arose at Sravanabelgola on 15-5-1925 within the jurisdiction of this Hon'ble Court. The hundis were entrusted on that day to defendants 1 and 2 for collection and payment to Government on behalf of the Jain Community in the name of the Swamigalu as contribution for construction of the bridge at Mandagere. Defendants 1 and 2 in their turn entrusted the hundis for collection to the 4th defendant's husband. There is no bar of limitation to this suit as thecase is covered by Section 10 of the Limitation Regulation.

15. Prayer for Judgment. The Plaintiff prays for a decree jointly and severally against defendants 1, 2 and 4 directing them

(1) to account for the collection of the proceeds of 34 hundis of the face value of Rs.31,065-0-0 entrusted to them by the Swamigalu as aforesaid;

(2) to deposit the said amount together with interest thereon at 6% per annum till date of payment with the Plainti

(3) to pay the costs of this suit and grant such other reliefs as the natur of the claim may require.

16. The value of suit for purposes of jurisdiction and Court fee is as follows:-

Face value of 34 hundis.	Rs.31,065-0-0
Interest thereon at 6% per annum from 15-5-1925 till date of suit 15-11-1932.	Rs.13,979-4-0

Rs.45,044-4-

Rs.1,425-0-0 being the Court fee on the said sum are paid in stamps.

Deputy Commissioner,
Hassan District.

I, Mr. T. G. Rama Iyer, B. A., Deputy Commissioner, Hassan District, the Plaintiff abovenamed do solemnly affirm that the facts stated above are all true to the best of my information abd belief.

Deputy Commissioner,
Hassan District.

From

The Public Prosecutor,
Mysore Division,
Mysore.

To

The General Secretary to the
Government of His Highness
the Maharaja of Mysore,
Law Section, Bangalore.

Dated 9-10-33.

Despatched 9-10-33.

Received

GENERAL SECRETARIAT
10 OCT. 1933
No. P.22

General No.

No. 1258

Enclosure No. 2

Sir,

I have the honour to return herewith after perusal copies of letters dated 3-7-33 and 25-8-33 of Asthana Vidwan A. Subbiah Shastry addressed to the Deputy Commissioner, Hassan District about the negotiations for an amicable settlement of the Kalasa collections question, forwarded to this office with your letter No.P.1576 dated 6/7-10-33.

It seems to me that the questions regarding the control and utilization of the Kalasa collection is of far-reaching importance to Government. The ceremony of Maha Masthakabhisheka is a recurring festival. The rights of the Government in the Muzrai Department and of the Swamigalu of the

the Sravanbelgola Matha to the custody of the collections must be duly recognised now. The proposal made in the latter part of Mr. Subbiah Shastry's letter dated 25-8-33 would reduce the position of the Government to a consultative body without the power of purse.

During the progress of the negotiations till now the authority and the position of the Government do not appear to have engaged the attention of the two Thirthakshetra Committees or properly stressed during the discussion. In case the view point of the Government be prominently put before Sri Seth Hukumchandji in a convincing manner there will be a fair chance of an early settlement. It is therefore humbly suggested once again that an officer of the Government armed with proper credentials may be deputed to meet Sri Seth Hukumchandji and try to come to a quick decision.

I have the honour to be,

S i r,

Your most obedient servant.

C. Rangacharlu

Public Prosecutor,

Mysore Division.

Letter dated 3-7-33 from Asthana Vidwan A. Subbiah Shastri, Nyayatirtha, epresentative, Sri Jain Mutt, Sravanabelagola, to the Muzrai Commissioner in ysore.

Re: the Kalasa Collections during the Mahapuja at Sravanabelagola in 19

In continuation of my report dated the 7/11-5-33 submitted from Bombay, I beg to submit further as follows about the work done by me at Bombay, Ajmere Jaipur, Indore and other places where the important members of our community and of All India Jain Thirthakshetra Committee reside.

The gentlemen whom I had met and with whom I discussed the matter are among others (1) Sait Sunderlal Gopichandji, Jaipur (2) Rai Bahadur Sait Lakamchandji, Ajmer (3) Sir Sait Hukamchandji, Indore (4) Raoji Sakaram Ghosi of Sholapur (5) Sait Thakursi Dossji of Calcutta (6) Babu Manikchandji Panada of Calcutta (7) Pandit Kupchandji, Indore (8) Rai Bhuribai, widow of late Gurumukhrai Sukhanandji of Bombay.

I have tried my best with all of them for an amicable and reasonable settlement of the matter. Some of them favour the view of depositing the amount with the Government of Mysore but others are strongly for having control of the fund themselves. Finally they told me that they would discuss the matter in the light of all that I have stated to them, at a meeting of their Committee in Bombay about the middle of this month and that they would write to me their final conclusion in the matter. The President of the Committee, Sir Sait Hukamchandji has promised to speak to the Secretary, Ratanchandji who is in Bombay when he would go there in the middle of this ~~mon~~ month and to write to me their decision. He has also invited me for the next meeting when this subject will be discussed at Bombay stating that the date will be informed to me in advance. He further suggested personally an alternative proposal to the effect that half of the amount shall remain with the Bombay Committee and the other half with the Government of Mysore. This proposal of Sir Sait Hukamchandji ~~will~~ will also be discussed at the meeting provisional date of the meeting is 17th July 1933.

Rai Bhuri Bai, widow of Sait Sukhanandji who is the custodian of the funds in question appreciated my proposals but she regretted her inability to give anything in writing in reply to the letter which Sri Swamiji had written to her and was delivered by me. She stated that she had already previously written to Sri Swamiji to the effect that the funds are to the credit of the Mysore Jaina Thirthakshetra Committee and that she could not therefore do anything against it. She however willing to render us all possible help i

the matter and she is quite opposed to paying the amount to the All India Thirthakshetra Committee, who, according to her, have no right whatsoever to the fund in question. It is her desire to come to Sravanabelagola and speak to Sri Swamiji about it. She promised to come here at an early date Her husband has built a Dharmasala at a cost of nearly R. 30,000/- near the Mandagere Railway Station for the convenience of pilgrims on their way to Sravanabelagola. She wishes to make some permanent arrangement for its maintenance and upkeep and has this purpose also in view for coming here early.

It is the desire of the majority of the people concerned that the amount should be utilised for the construction of a Dharmasala for the Jain pilgrims at Hassan or at Sravanabelagola if the purpose for which the amount was collected viz., the construction of a bridge across Hemavati at Mandagere, is not found possible.

I may submit that the Government may correspond in the matter directly with the following persons who are the parties interested.

(1) Dhanaveera Rajyabhushana Sir Seit Hukamchandji Kt., Indore. President, All India Jain Thirthakshetra Committee.

(2) Bai Phuri Bai, widow of Seit Sukhanandaji, Bahutharkhana, Phuleshwar, Bombay 2.

(3) Messrs. Mulla and Mulla Solicitors, Esplanade Road, Bombay.

(4) General Secretary, All India Jaina Thirthakshetra Committee, Hirabag, Girgaum, Bombay.

Finally I wish to submit that the Mysore Jain Thirthakshetra Committee appear to be the most important party in this connection as the funds are in deposit in their name and as their claim has been accepted by the past and the present custodians of the funds. From the interviews I had with the General Secretary of the Mysore Committee I understand that their attitude is favourable and that they are prepared to accept any reasonable compromise that may be decided upon by the Government in consultation with Sri Swamiji of Sravanabelagola for whom they have the greatest reverence. It may therefore be of great advantage to correspond and negotiate with them.

It may also be necessary to inform Government that I learnt on enquiry that another sum of R 28,000/- is in deposit with the All India Jain Thirthakshetra Committee, Bombay, being the collections raised by the auction of the Kalasas at the Mahapuja at Sravanabelagola in 1910. It is in the name of Sri Bahubali Swamy, Sravanabelagola. There is also another deposit of R 7000 with them in the name of Sri Gomateswara Jain Boarding Home, Sravanabelagola, being c

ing collections raised by donations on the same occasion. The authorities the Bombay Committee have consented to give the interest accruing on the latter deposit for the maintenance of the Boarding Home at Shravanabelagola, annually.

"C O P Y"

For Muzrai Commissioner.

Letter dated 25-8-33 from Asthana Vidwan A. Subbaiya Shastry, Nyayathirtha, Sravanabelagola, to the Deputy Commissioner, Hassan District.

In continuation of my reports dated the 7th May 1933 and 3rd July 1933 regarding the Kalasa collections during the Mahapuja at Sravanabelagola in 1925, I beg to submit that I had written to Sri Sait Hukamchandji of Indore, President of the All India Jain Digambar Thirthakshetra Committee, after I returned here and the Secretary of the Committee has replied to me that the matter is being negotiated with the Mysore Committee for a compromise through Dewan Bahadur Mr. A. B. Latthe of Belgaum and that Mr. M. C. Lakshmipataiya would furnish me with the details of the proposed amicable settlement.

Mr. M. C. Lakshmipataiya gave me to understand that the proposal is to use the funds now that the Mandagere bridge is out of question, for the construction of a suitable Dharmasala at Sravanabelagola for the use of the large number of pilgrims and visitors who are daily coming to the great Kshetra and are much inconvenienced for want of accomodation. The idea is to spend the funds immediately after collection for the above said necessity without keeping it under the control of anybody or person investing it anywhere, with a view to avoid all disputes as to who should have the custody and control of the funds. The Mysore Committee will consult Sri Swamiji and the Government in the matter before they pass a resolution at their meeting accepting the proposal and forwarded to the Bombay Committee. The funds will be deposited in the Imperial Bank at Bombay in the joint names in the Mysore and Bombay Committees just for the present temporarily till the plans and estimates of the Dharmasala are approved and the work is commenced The work of construction is to be carried out through the agency of the Mysore Committee in consultation with Sri Swamiji and the Government of Mysore. Briefly these are the proposals and the Mysore Committee will meet shortly during the ensuing Dasara at Mysore to discuss and decide them. Mr. Lakshmipataiya will see the Deputy Commissioner shortly and is also proceeding to Chittamboor where Sri Swamiji is at present camping, to place the proposals before them and consult their views.

In submitting the above developments for your information, I wish to repeat my suggestion given in my report dated the 3rd July 1933 that the Mysore Committee is important in this connection for the reasons stated therein and that it will be of advantage to correspond and negotiate with them as also with Sri Sait Hukumchandji of Indore directly in the matter. Further

C/o P. 2445 (Law 10
Encl. (Ver. file of Rec.
Encl. (1 copy of letter

27th October 1932.

318.

S.P. Rajagopalachari, Esquire, B.A., B.L.,
Muzrai Commissioner in Mysore, Bangalore.

With reference to the correspondence ending with your letter No. Pc 252/30-31 dated the 15th July 1932 in the matter of a proposed Suit for recovery of amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I am directed to forward herewith a copy of the Mysore Public Prosecutor's letter No. 237 dated the 6th October 1932 and to state that Government consider it desirable that the course of action suggested in para 5 therein should be adopted in the first instance, before launching on the proposed Civil Suit. I am therefore to request you to take necessary action in the matter and intimate to Government in due course the result thereof.

The vernacular file of papers received with your letter of the 15th July 1932 is herewith returned.

I have the honor to be,
S i r ,
Your most obedient servant,

Sd/- R. Ranga Rao,
General Secretary to Government.

P.H.

Memo. No P 2446/d 31/10/32

Copy of the above is forwarded to the Public Prosecutor, Mysore

Appendix F G—

SUBJECT .....

.....

.....

Section Law

File No. 16-31

Serial No. 5

Diary No. of letter replied to .....

No. P. 2445/Sm, dt of letter, Dt of Receipt.

To The Mysore Commissioner

Sir,

I am directed to refer to the Correspondence ending with your letter no. PC 252/30-31 dated 15th July 1932 in the matter of a proposed suit for recovery of Amounts Collected at the last Mahamastakabhisheka at Sravanabelgola. I am directed to forward herewith Copy of the Mysore Public Prosecutor's letter no. 137 dated 6th Oct 1932 and to state that Govt consider it desirable that the Course of action suggested in para 5 thereof should be adopted in the first instance, before it is desirable to avoid unnecessary

General and Revenue Secretariat

( )

the *193*

Date of issue 21/10/32

Signed by M. N. Krishna Rao

List of enclosures .....

Copied by .....

Examined by .....

launching on the proposed civil suit. I am therefore to request ~~litigation in the matter~~ you to take necessary action in the matter

~~Result of the action taken~~ and intimate to this office in due course the result may kindly be intimated for information of this office in due course thereof.

The Vernacular ~~Copy~~ of the ~~letter~~ petition of ~~the petitioner~~ received vide your letter No. 15th July 1932 is herewith returned ~~for~~ necessary ~~action and return~~

I have the ~~honour~~ honour to be Sir, Your most obedient servant

~~ISD~~ 25/10. ~~for~~ for Secretary

Memo No P 2466/ Dy 31-10-32

Copy to the Pleader for information

Law 16-31-6 4248/32-33

Letter No.P.R.238-32 dated 27-1-33 from the Deputy Commissioner, Hassan District, to the Muzrai Commissioner in Mysore.

Subject:- Re: the recovery of amounts collected at the last Mahamastakabhishekam at Sravanabelagola.

GENERAL SECRETARY No. 8 FEB 1933

With reference to your letter No.C.962/26-27 dated 24th Janv. 1933 on the above subject, I have the honor to state that as desired in your No.962/26-27 dated 4th January 1933, Ved. Subbaiiah Sastry Nyaya Tirtha Adhyaksha of the Jain Veda Patasala at Sravanabelgola was sent for on 10th January 1933 and needful instructions given to him in the matter as suggested by the Swamigalu. Ved. Subbiah Sastry was also instructed to approach the Swamiji in the first instance before he proceeds to Bombay and other places in Northern India and take instructions, if any, that might be given by him.

The Amildar of Channarayapatna Taluk was also instructed to pay a sum of R. 200/- from Mutt funds in order to cover the travelling expenses as suggested by you.

Ved. Subbiah Sastry has been asked to approach the widow of late Mr. Gurumukharai Sukhanda Sait of Bombay through Sir Hukum Chand Sait of Indore and try to collect from her at least R 27053-0-9 said to have been so far collected out of the total Hundi amount of R 31000/- by reasoning with her and soon after the receipt of his reply as to the action taken by him as suggested a further communication will be sent.

162/26-27
1/8/33.

Memo.

Copy of the above is forwarded with compliments to the Secretary to Government, General Department, for kind information with reference to his letter dated 31st October 1932.

Muzrai Commissioner.

GENERAL SECRETARY 7 FEB. 1933

Submitted for perusal

ISD 10/2

Sur B 17/2/33

16/2

P. T.

5795 /U

No.782. Mysore, dated 6th May 1933.

From

The Public Prosecutor,
Mysore Division,
Mysore

To

The General Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Section, Bangalore.

GENERAL SECRETARIAT
8 MAY 1933
Law

Sir,

I have the honour to state that in connection with the proposed suit for the recovery of the Malase collections of the Maha Masthakabhisheka (1925) at Sravanabelgola a sealed cover said to contain the original receipt dated 15-5-25 for taking hundies of the value of Rs.31,000/- granted by Messrs. M. G. Lakshmipathaiya and A. Shantaraja Sastry was forwarded to this office so far back as 4-8-31 from the Amildar, Chennarayapatna Taluk. The sealed cover together with a few papers relating to the transaction have been in my safe custody since the date of their receipt.

The revised draft plaint prepared for the recovery of the aforesaid dues was submitted to Government from this office with letter No.837 dated the 6th October 1932 and thence transmitted to the Huzrai Commissioner with letter No.P.2445/Law 16-31-5 dated 27/31st October 1932.

If there is no immediate prospect of filing the proposed suit I request that the sealed cover and the connected papers received from the Amildar, may kindly be ordered to be taken back from my safe custody and

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

92

Da..., Jangalore, 12th May 193.3

No. P. 59214

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,
Mysore.

Sir,

With reference to your letter No.782, dated 6th May 1933, re. the custody of certain documents relating to the Kalasa collections of the Maha Masthakabhisheka at Sravanabelgola, I am directed to state that a report as to the result of the efforts made by the Deputy Commissioner, Hassan to arrive at a settlement as proposed by you in your letter No. 237 dated 6th October 1932 is still being awaited.

I am therefore to request you to retain the documents referred to in your letter till the question of filing the proposed suit is finally settled.

I have the honor to be.
Sir,
Your most obedient servant,

TRM.2

For General Secretary to Government

Appendix F G—1]

SUBJECT.....

.....

.....

No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

issue 13/5/33

by H.H.N.P.Rao

List of enclosures.....

Copied by.....

Examined by .....

Section

File No.

Serial No.

No. P.5924/—

To

The Pr. Mysore.

Sir,

With reference to your letter no. 702 dated 6th May '33 re: the custody of certain ~~record~~ documents relating to the Kalasa Collections of the Mahamastakabhisheka at Sravanabelgola I am directed to state that the result of the efforts made by the D.C. Hassan to arrive at a settlement as proposed by you in your letter of even no. dated 6th Oct 1932 is still being awaited

I am therefore to request you to retain the documents referred to in your letter the question of fixing the ~~value of~~ fees proposed is settled.

WD 0253—GPB—15,000—26-8-32

No. 962 Rev 1
26-27

22 P 833

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,... 24th June..... 193 3.

1/7

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

GENERAL MISCELLANEOUS BRANCH
3. JUL. 1933

To

S. N. Appannaiengar, Esq., B.A.

Secretary to the Government of His Highness
the Maharaja of Mysore,
General.....Department.

GENERAL SEC. PAPERS
1- JULY 1933
No. C.1-8

SIR,

In continuation of this office letter No.C.962, 26-27 dated 2-5-33 re: the recovery of the amounts collected at the last Mahamasthakabhisheka at Sravanabelagola, I have the honor to forward herewith for favour of information a copy of letter dated 7-5-33 from Ved. A. Subbaiya Sastry, Asthana Vidwan and Nyayatheertha, who has been sent to Bombay and other places for the purpose, received with letter No.C.1108-31 dated 19-5-33 from the Deputy Commissioner, Hassan District.

I have the honor to be,
Sir,
Your most obedient servant.

Muzrai Commissioner.

Letter No. Nil. dated 7-5-33 from Asthana Vidwan A. Subbaiya Sastry, Nyayatheertha, Representative, Sri Jain Mutt, Sravanabelagola, Camp Bombay. to the Revenue Commissioner in Mysore-----

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Re: the Kalasa Collections during the Mahappoja at Sravanabelagola in 1925.

I beg to submit a report as follows of the work done by me at Bombay in connection with the realisation~~s~~ of the amount of the Kalasa Collections now in the hands of the widow of late Mr. Gurumukhrai Sukhanand of Bombay. As desired in your order No.C.962/26-27 dated 3rd January 1933 deputing me for the purpose, I came to Bombay and have been here for about a week interviewing the several persons concerned and persuading them to hand over the monies for being deposited with the Government of Mysore to be utilised for purposes of the great Kshetra of Sravanabelagola. I interviewed Bai Bhuri Bai, widow of late Mr. Gurumukhrai Sukhanand several times and have been trying my best to influence the lady for an amicable settlement of the matter. She accepts her liability to pay these monies and appears to be quite earnest in discharging her liability as early as possible with a view to preserve the good name of her husband and maintain the good will of the community. She realises that these monies relate to a religious trust and feels it her sacred and bounden duty to pay up fully and be free from all blame in the matter. Thus, so far as her attitude is concerned, I consider it is very favourable. She promises to pay the amount in instalments as after the death of her husband, the estate is involved in some difficulties of litigation and as on that account the money required cannot be found or raised immediately.

But there are other difficulties arising from other claimants. The Bharata Varsheya Digambara Jaina Tirthakshetra Committee of Bombay have been claiming these monies as belonging to them. They have formally put forth their claim before her solicitors who have acknowledged the Bombay Committee's claim and have also given them an undertaking in writing to pay the amount in certain instalments arranged between them. The lady told me that she had no alternative as she was much pressed by them and threatened with a suit against her, which she very much desired to avoid. I saw the Bombay Committee people also and told them of the Mysore Government's claim on behalf of the Mutt and tried to convince them how it was just and reasonable for them to withdraw their ~~claims~~ claim if any, in favour of the Government of Mysore as it would ultimately be in the interests of the community as a

whole and of the great Kshetra. I told them how the Mutt and the temple are Muzrai institutions under the control and management of Government, and how the Government have been keenly interested in this place of all India importance and of the great help and patronage so graciously being given by Government for the preservation and prosperity of this great place. I also explained to them the legal rights the Government has for the amount in question and assured them that the Government would utilise it for purposes of Sravanabelagola in the best manner possible. Some of the persons concerned appreciated the idea of depositing the money with Government under the circumstances but others seemed to be strong in their view of holding the money with themselves and having full control over it. They are all on on the point of using this amount for the Kshetra and earmarking it for that purpose, but some of them have a strong desire to keep control over the money themselves so that they may use it as and when necessities arise for such of the purposes as they would consider to be best for the Kshetra.

The Mysore Jaina Tirthakshetra Committee have also claimed this amount as belonging to them. But their attitude is favourable and they appear to be prepared to accept any reasonable compromise that may be arrived at under the advice of the Sri Swamiji of Sravanabelagola. The Mysore Committee's representatives are also now here and have been helping me in the matter of bringing about a reasonable compromise between all the parties concerned in the matter. The said representatives expressed their ready willingness to accept and abide by any reasonable descision, in the interests of the Kshetra that may be made by the Sri Swamiji for whose words and advice the Mysore Committee has the greatest reverence.

The negotiations are proceeding and I will submit a report of developments again

In the meanwhile it was found necessary to lodge a formal claim with the solicitors of Mrs. Gurumukhrai Sukhanand with a view to prevent the money being parted with by the lady in accordance with the agreement she had entered into with the Bombay Committee. The situation was urgent and it was necessary to put forth our claim formally and immediately with the solicitors which I have done on behalf of the Mutt.

The Bombay Committee people have promised to convene a meeting of their members at an early date with a view to discuss and decide the matter.

I have been seeing the members personally and explaining to them our claim and the entire situation in all its aspects. I think that I have succeeded to some extent in convincing them as to how it would be in the best interests of the Kshetra and all the parties concerned to accept the claim made by the Government of Mysore on behalf of the Mutt and to have the whole matter amicably and gracefully settled, leaving the question of the disposal of the monies for the Kshetra to the discretion of the Sri Swamiji and the Government of Mysore.

I am proceeding to Indore, Jaipur and a few other places where some important members of the Bombay Committee reside, and will return to Bombay after interviewing them when I will again submit a report of further developments in the matter.

"C O P Y"

For Muzrai Commissioner

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

98

General and Revenue Secretariat

No. P-238 Encl

Dated, Bangalore, 12th July 193 3.

13

From

The General Secretary to the Government of His Highness the Maharaja of Mysore

To

The Public Prosecutor,

Mysore.

Sir,

In continuation of this office memo No.P.2446 dated 31st October 1932 in the matter of a proposed suit for recovery of amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I am directed to forward herewith for information a copy of the letter dated 7th May 1933 received from Mr.A.Subbaiya Sastry. Asthana Vidwan and Nyayathirtha, who was deputed to Bombay and other places to effect a compromise.

I have the honour to be,
Sir,
Your most obedient servant

MR

For General Secretary to Government.

TSD

Appendix F G—1]

SUBJECT.....

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Section

File No.

Serial No.

iary No. of letter replied to.....

No. P 238/Gen/

To

The PBr Mgr.

Sir,

General and Revenue Secretariat

( )

the 193

In Continuation of this office memo no. P. 2438 dated 31.10.32 in the matter of a proposed cess for recovery of amounts Collected at the last Mahamastakabhisheka at Sravanabelgola, I am directed to forward herewith for information a Copy of the letter dated 7.5.33 received from Mr A. Subbaraya Sastry Asthana Vidwan and Nyaya Visarada, who was deputed to Bombay and other places to effect a Compromise

Date of issue 8/7/33

Signed by [signature]

List of enclosures.....

Copied by [signature]

Examined by.....

I have etc

[signature]

for Secy

WD 0253—GPB—15,000—26-8-32

305 7/W
P 933

[M. C. 13]

No. 962/26-27
Eve on

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore, 12th July *1933*
17

FROM

S. HIRIANNAIYA, ESQ,. M.A., B.L.,
Muzrai Commissioner in Mysore.

To

S. N. Appannaiengar, Esq., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore.
General *Department.*

SECRETARIAT
17 JULY 1933

SIR,

With reference to your letter No.P2 dated 1st July 1933 calling for a further report re: the recovery of the amounts collected at the last Mahamastakabhishekam at Sravanabelagola, and in continuation of this office letter No.C.962/26-27 of the same date, I have the honor to forward herewith for information, copy of a further communication dated 3rd July 1933 received from ~~the~~ Asthana Vidwan A. Subbiah Shastri, Nyayathirtha, from which it will be seen that nothing very definite has so far been achieved. On receipt of further information from the Pandit about the result of the Conference expected to be held in Bombay this month, a further communication will be submitted to Government.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

M. C. 13]

1535 101

No. 962/26-27
Ever Done

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore, 13th September 1933.

FROM

N. Madhava Rau, Esq., B.A., B.L.,
~~S. VENKATANNAIYA, ESQ., M.A., B.L.,~~
Muzrai Commissioner in Mysore.

To

H. V. Ramaswami, Esq., M.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore.
General *Department.*

GENERAL SECRETARY
15 SEP. 1933
No. 6.S.9

SIR,

In continuation of this office letter No.C.962/26-27 dated 17-7-'33 re: the recovery of the amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I have the honor to forward herewith for favour of information a copy of letter dated 25-8-'33 from Asthana Vidwan A. Subbaiya Shastry, received with the Hassan District Deputy Commissioner's letter No.Muz.C.1106-31 dated 5-9-33 stating among other matters that the Mysore Committee will meet during the ensuing Dasara for discussing the proposal for utilizing the funds for constructing a Dharmasala at Sravanabelagola. Further progress will be reported in due course.

I have the honor to be,

Sir,

Your most obedient servant,

N. Madhava Rau

Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P-15-76 Ecc 2

Dated, Bangalore, 6th October 1933.

From

The General Secretary to the Government of His Highness the Maharaja of Mysore.

To

The Public Prosecutor,
Mysore.

Sir,

In continuation of this office letter No.P.238 dated 13th July 1933 in the matter of the proposed suit for recovery of amounts collected at the last Mahamasthakabhisheka at Sravanbelagola, I am directed to forward herewith for information and early return copies of letters dated 3rd July 1933 and 25th August 1933 from Mr.A.Subbaiya Sastry, Asthana Vidwan and Nyayathirtha who was deputed to Bombay and other places to effect a compromise.

I have the honour to be,
Sir,
Your most obedient servant,

for General Secretary to Government.

Appendix F G—1]

SUBJECT .....

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Section

File No.

Serial No.

No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue 7/8/33

Signed by [illegible]

List of enclosures.....

Copied by 7/8/33

Examined by.....

No. P 15.76/33-7

To The D.P.I.R., Ins.S

Sir

In continuation of this Office letter No P.1738 dated 13th July 1933 in the matter of the proposed Suit for recovery of amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I am directed to forward herewith for information early a return copies of letters dated 3-7-33 & 25-8-33 from Mr. A Subbaiya Sastry, Asthana Vidwan and Nyayatirtha who was deputed to Bombay & other places

Ramaswamy,

Prosecuto-,

Margosa Lodge, Mysore.

Dated 3rd October 1931.

Dear Mr. Jaya Rao,

Thank you for your letter of yesterday. When you told me during your last visit to Mysore of the transfer of Law Section from the Chief to the General Secretariat I did not quite understand the official significance of it. I therefore continued to address communications in the usual way being ignorant of the inconvenience I thereby caused in official routine. I shall certainly address all future communications to the General Secretary.

I was in Bangalore last Sunday. The purpose of my visit was partly to go to you for a consultation about the proposed suit against Messrs. Lakshmipathaiya and others. On second thoughts it occurred to me that information was lacking on certain points. I have addressed an urgent D.O. letter to the Amildar of Channarayapatna to record the statement of the Agent of the Mutt and forward it to me.

I am sure you will be here about the 15th instant We may then discuss the question. In my humble opinion it goes to the root of the matter and it does not seem to have attracted your notice.

Yours Sincerely,

K Ramaswamy,

Jaya Rao Esq M A LL B
Advocate
Bangalore

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

No. P 2676

Dated, Bangalore, 9th Decr.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to the correspondence ending with your letter No.962/26-27 dated the 15th September 1933 and your un-official note No.962/26-27 dated the 10th November 1933 regarding the recovery of the amounts collected at the last Mahamastakabhisheka at Sravanabelagola, I am directed to state that as suggested by you, the Deputy Commissioner, Hassan may be instructed to ask the Swami to make a final appeal to the prominent people named in Mr.Subbaiya Sastry's report of 3rd July 1933, to credit the money to Government on behalf of the Matha, as his own position would not be free from embarassment in the event of a suit being filed against his disciples in a matter concerning the affairs of the Matha.

The result of the action taken may kindly be intimated for information of Government early.

I have the honour to be,
Sir,
Your most obedient servant,

pm

for GENERAL SECRETARY TO GOVT.

TSD

Appendix F G—1]

SUBJECT .....

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Diary No. of letter replied to .....

General and Revenue Secretariat

the *193*

Date of issue 9/12/33

Signed by Mr N. A. Jayawardena

List of enclosures .....

Copied by .....

Examined by .....

Section

File No

Serial No.

No. P 26761

To

The Mudaliyar Commr

Sir,

With reference to the Correspondence ending with your letter no. 962/26-17 dated 15th September 1933, on the receipt of your note no. 962-26-17. dated 10.11.33 re: the recovery of the amounts Collected at the last Mahamastaka Abhisheka at Sravanabelagola

I am directed to state that the DC Hassan may be instructed to ask the Swami to make

people named in Mr. Subbaraya Sastry's
report of 3rd July 1933, to credit
the money to fund on behalf of
the Matha as his own position
would not be free from embarrass-
ment in the event of a suit
being filed against his disciples in
a matter concerning the affairs
of the matha.

The result of the action
taken may kindly be intimated
for information of fund early

I have the
honour to be
Sir
Your most obedient
servant
[illegible]
for Secy
15/7/33

M C 13.]
No. 962/26-27

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated, Bangalore, 17th April 1934

5648/P

FROM

MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

Law 16-31-7

To

R. Abdul Wajid, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*

SIR,

Kalasa Collections on the occasion of the last Mahamastakabhisheka at Sravanabelagola.

Referring to correspondence ending with this office Un-Official Note dated 10th November 1933 re: the above, I have the honor to forward herewith copy of letter No. C.1108/31 dated 14th March 1934 from the Deputy Commissioner, Hassan District, forwarding the reply received from the Swamigalu and suggesting that further action to recover the dues may be taken in the best interests of the Mutt.

2. From the Swamy's original communication enclosed in the records it will be seen that as a result of further negotiations carried on by Mr. Lakshmipathaiya, Mr. Seth Ratanchandji, Secretary of the All India Digambar Jain Tirtha Kshetra Committee has undertaken to recover the amount due from the widow of the late Mr. Gurumukharai Sukhanand in three instalments and to construct a Dharmasala at Sravanabelagola. The Swamigalu has further said that in view of the above there is no necessity to address other persons mentioned by Mr. Subbaiya Sastry in his reports. It is not known whether any reply from Mr. Lakshmipathaiya has been received by Government as stated in his letter dated 25th February 1934 to the Swamigalu, enclosed in the records.

3. In view of the definite understanding that has been arrived at between the Swamigalu and others and of the fact that the institution of legal proceedings to recover the amount is beset with considerable difficulties, besides the heavy cost involved in conducting the suit, I am of opinion that the final settlement of this long pending ques-

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

1/12

General and Revenue Secretariat

No. P4915 Law

Bangalore, Dated 24 - 4 - 1934

From

S. Abdul Majid, Esquire, B.A.,
General Secretary to the Government of His Highness the Maharaja of Mysore.

To

N. Madhava Rau, Esquire, B.A., B.L.,
Revenue Commissioner in Mysore, Bangalore.

Sir,

With reference to your letter No. 962/26-27 dated the 10th April 1934 re- the Kalasa collections on the occasion of the last Mahamastakabhisheka at Sravanabela-[redacted], I am directed to state that the file of vernacular papers said to have been sent has not been received and to request that the same may kindly be sent for reference early.

I have the honor to be,
Sir,
Your most obedient servant,

for General Secretary to Government,
GL. TO.

ppendix F G—1]

SUBJECT .....

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Section Law

File No.

Serial No.

No. P 49151

Diary No. of letter replied to .....

To

e Mus. Lanka

Sir,

ieral and Revenue Secretariat

colo

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the *193*

With reference to your letter no. 96/26/27 dated 15th April 1924 re: the Kalasa Collections on the occasion of the last Mahamaha Pinkalaya Pooja at Sravanabelagola. I am directed to state that the file of Vernacular papers said to have been sent has not been received and to request that the same may kindly be sent for reference back.

I have etc.

Date of issue 24/6/24

Signed by

List of enclosures .....

Copied by .....

Examined by .....

962 Rev/26-27

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 1st May 1934

FROM

N. MADHAVA RAU, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

GENERAL SECRETARIAT
4 MAY 1934

To

S. Abdul Wajid, Esq., B.A.
Secretary to the Government of Mysore,
General Department.

Sir,

In continuation of this office letter No.C.962/26-27 dated 19-4-1934 re: the Kalasa Collections on the occasion of the last Mahamastakabhisheka at Sravanabelagola, I have the honor to forward herewith copy of letter dated 20-4-1934 from Mr. M. C. Lakshmipathaiya, General Secretary to the Mysore Jain Association and Secretary, Mysore Digambara Jain Theerthakshetra Committee, stating that he is proceeding to Bombay shortly and expressing a hope to settle the matter satisfactorily.

2. The file of vernacular papers is herewith forwarded.

I have the honor to be,
Sir,
Your most obedient servant,
N. Madhava Rau
Muzrai Commissioner.

Letter dated 20-4-34 from Mr. M.C.Lakshmipathaiya,B.A., General Secretary of the Mysore Jaina Association, Mysore to the Muzrai Commissioner in Mysore

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With reference to your letter of the 2nd instant asking me to see you in connection with the recovery of the amounts collected at Sravanabelagola, I regret I was not in station for two weeks and returned only a couple of days back. I will see you when you come here next time. I may also state that I am going Bombay shortly, before the end of this month and hope to arrange and settle the matter satisfactorily. His Holiness Sri Swamigalu of Sravanabelagola is also pressing me in the matter. You may be aware that a compromise has been arrived at with the Bombay people, to the effect that the amount should be used for the construction of Dharmasala at Sravanabelagola. The lady with whom the fund remains is also agreeable to pay it in instalments for this purpose. I have no doubt that the arrangement will be carried into effect very early. I will write to you again definitely after I return from Bombay.

With respectful regards.

"COPY"

For Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSOR

General and Revenue Secretariat

No. P5325 Ens (File of Records) Dated, Bangalore, 17th May 1934.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to the correspondence ending with your letter No.962/26-27 dated 3rd May 1934, re: the kalasa collections on the occasion of the last Mahamastakabhisheka at Sravanabelagola, I am directed to state that Government desire that the result of Mr. Lakshmipathaiya's visit to Bombay may be availed before taking any further action in the matter.

The entire file of papers sent is herein returned

I have the honour to be,

Sir,

Your most obedient servan

For General Secretary to Government.

M.M.P.3/17-5-34.

Appendix F G—1]

SUBJECT .....

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Section Law

File No. 16-31

Serial No. —

No. PS-3257/Sec 1/file of Records

Diary No. of letter replied to .....

To The Mysr. Commissioner

Sir,

General and Revenue Secretariat

( )

the *193*

Date of issue 18/5/34

Signed by Sec M.K.J Rao

with reference to re
Correspondence ending with your lette
no. 962/26-27 d 3rd May 1934 re:
the Kolara Collections on the occasion
of the last Mahamastakabhisheka a
Sravanabelagola. I am directed to
state that Govt desire that the result
of Mr. Lakshmipathaiya's visit to
Bombay may be awaited before taking
any further action in the matter.

~~I am also to request~~
~~that a further report may kindly be~~
~~obtained from Mr. Lakshmipathaiya~~
~~and also for orders of Govt.~~
entire
The file of papers sent herewith is returned

I have

List of enclosures .....

Copied by .....

Examined by .....

WD 0677—G PB—15,000—3-15-33

16/5/34

16/5 for file

52/26-27
Circl on-

6685 733
118

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, 15th June 193 4

76.

FROM

DIWAN MADHAVA RAU, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore

17 JUNE 19

*To

M. S. Abdul Wajid, Esq., B.A.,
Secretary to the Government of Mysore,
General Department.

Sir,

With reference to your letter No.P.5325/Law 16-31 dated 18-5-34 re: the Kalasa collections on the occasion of the last Mahamastakabhisheka at Sravanabelagola, I have the honor to forward herewith for the information of Government, a copy of letter dated 3-6-34 from Mr. M. C. Lakshmipathaiya, General Secretary of the Jaina Association intimating the result of his visit to Belgaum and promising the submission of a further communication in the matter.

I have the honor to be,
Sir,
Your most obedient servant,
G. Rudrappa
Sr. Asst. Comr
for Muzrai Commissioner.

(absent from Stn)

Letter dated 5-6-34 from Mr. M. C. Lakshmipathaiya, General Secretary, the Mysore Jaina Association, Mysore, to the Muzrai Commissioner in Mysore.

I have received your kind letter of the 28th ultimo re. the collection at Sravanabelagola. The matter is being amicably settled by the intervention of Dewan Bahadur Mr. A. P. Latthe of Belgaum, whom I had seen last month at Belgaum. The question is settled and we had only to send a formal resolution passed by the Mysore Jaina Thirthakshetra Committee, which also has now been sent. The arrangement is that the amount should be used immediately for building a suitable Dharmasala at Sravanabelagola with the help and advice of the Government and of His Holiness Sri Swamigalu. The amount should be recovered by Mr. Ratanchandji, Secretary of the Bombay Committee and deposited in Bank immediately. The solicitors of the lady who has this amount with her have agreed to pay Rs 10,000/- immediately and the balance in instalments. The lady is also anxious to discharge this trust liability and I hope the money will be recovered early. There was some difference between us and the Bombay Committee, and now that everything has been settled satisfactorily, I expect the amount will be realised soon, and the proposed Dharmasala at Sravanabelagola will be taken up as soon as the first instalment is realised. The Mysore Committee will take up the work and will be responsible for its construction under the control and supervision of the Government, His Holiness and the Bombay Committee. This in brief is the result of my recent visit to Belgaum, where the matter was settled as above. I have sent the required resolution to the Bombay Committee after I returned here, and the steps taken for recovery as also the recoveries made, will be reported to you from time to time. I hope you will find it satisfactory.

Thanking you,

"COPY"

G. Rudrappa

For Muzrai Commissioner.

No. 962/26-27. Encl 46

OFFICE OF THE MUZRAI COMMISSIONER,
IN MYSORE,

Dated: Bangalore, 31st July 1934.

48.

Law 16-31-8

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

GENERAL SECRETARIAT
1 AUG. 1934

TO

S. Abdul Wajid, Esq., B.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department.*

Muzrai Branch

SIR,

Recovery of Kalasa Collections of Mahamastakabhisheka at Sravanabelagola.

In continuation of this office letter dated 16th June 1934 re: the above, I have the honor to state that the Deputy Commissioner of the Hassan District suggested in his letter No.C.1108-31 dated 16th June 1934 that for reasons explained, the Secretary of the Mysore Jaina Association be definitely intimated that the funds on recovery should be secured in the Government Treasury to the credit of the Mutt pending the settlement of the purpose for the utilization of the amount.

2. While this aspect of the question was under consideration, two communications separately from Messrs. Lakshmipathiah and Subbiah Sastry have been received (copies enclosed). The latter has sent a copy of a letter received from Messrs. Manchershaw B. Chothia & Co., Solicitors, on behalf of Bharat Varshiya Digambar Jaina Tirtha Khsetra Committee and the widow of late Mr. Sukhanand, calling upon the Mutt Agent to write forthwith to Messrs. Mulla and Mulla (as per draft sent by them) to withdraw his previous letter and to authorise the payment of moneys to the Bombay Committee and threatening to file a suit, if he should fail to act as above. Under instructions from the Swamigalu, Mr. Subbiah Sastry requests to be informed whether the objection may be withdrawn, subject to the condition that the moneys will be collected on behalf of all the claimants, viz., the Bombay

& Mysore Committees and the Mutt and utilised for a Dharmasala in Sravanabelagola.

3. Mr. Lakshmipathiah states that in order to facilitate speedy recovery of the amount, it is necessary to strengthen the hands of the Bombay Committee by giving them authority and suggests that the objection may be withdrawn with the condition imposed that the collection should be made on behalf of the Mutt as well as the other two Committees. He further states that it is by means of a compromise between all the contending parties that the amounts can be realised and that the Dharmasala work will be done under the control and supervision of Government.

4. The original idea of constructing a bridge at Mandagere having been given up, I see no objection to the proposal now put forward by all parties that the money should be utilised for the construction of a Dharmasala at Sravanabelagola. But as the work has admittedly to be carried out under the control of Government, it is necessary to insist that the money, as it is recovered, should be paid into the Government Treasury and should not be retained in the hands of Bharat Varshiya Digambar Jaina Tirtha Kshetra Committee.

5. If the Government approve of this view, a suitable reply will be sent to Mr. Lakshmipathiah from this office and the Agent of the Swamigalu will be advised to reply in similar terms to the solicitors of Bai Bhuribai, widow of deceased Gurumukharai Sukhanand.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter dated 20-7-34 from Asthan Vidwan A. Subbian Shastry, Sri Mutt, Sravanabelogala, to the Muzrai Commissioner, in Mysore.

With reference to the amount of the Kalasa collections collected in Sravanabelagola in 1925 I beg to state that the matter has been compromised between the Mysore Jaina Thirthakshetra Committee and the Bombay Committee and I learn that Mr. M. C. Lakshmipathiah, General Secretary of the Mysore Committee has written to you regarding the arrangements that have been settled. The arrangement is that the amount should be collected by Mr. Ratanchandji, General Secretary of the Bombay Committee from Lady Sukhanand ji who has consented to pay in instalments through her solicitors and that he should collect and deposit the amount on behalf of the Bombay and the Mysore Committees. After the amount is collected, it should be utilised for building a Dharmasala in Sravanabelagola. Now the Bombay Committee has written to me to withdraw the objection that I had made to the lady's solicitors not to pay the amount to anybody as the Mutt is the rightful claimant for it, and to authorise them to collect the moneys as compromised A copy of the letter received from them is submitted herein enclosed.

In view of the compromise and the fact that the amount will be collected and utilised for a Dharmasala in Sravanabelagola, I would suggest that the Mutt also may agree to the compromise on condition that the moneys will be collected and deposited on behalf of all the three claimants, viz., the Bombay and Mysore Committees and Sri Mutt. It is likely the amount will be realised by the compromise and I request you to kindly inform me whether I may withdraw the objection and write to them insering the above condition. I have been asked by His Holiness Sri Swamigalu to receive instructions from you before taking any action.

)PY"

For Muzrai Commissioner

Letter dated 20-7-34 from Mr. M. Lakshmipathiah, the Mysore Jaina Association, Mysore, to the Muzrai Commissioner in Mysore.

In continuation of my letter dated the 5th June 1934 regarding the collections at Sravanabelagola, I write to state that the Bombay Committee has written to Sri Mutt to withdraw the objections made by Mr Asthana Vidwan A Subbiah Sastriar to Lady Sukhanand's solicitors, with a view to enable them to realise the moneys and do the needful according to the compromise. Under the circumstances I am of opinion that it would be best for Sri Mutt to agree to the compromise on condition that the amounts should be collected and deposited by the Bombay Committee for and on behalf of all the three claimants viz., the Bombay and Mysore Committees and Sri Mutt. It is only by a compromise between all the contending parties that the amounts can be realised early and it is not safe to leave the matter in dispute any longer. The purpose for which the amounts should be utilised is settled with the consent of all the parties and the Dharmasala work will be done under the control and supervision of the Government. The only thing is that the Bombay Committee will collect the money from the lady but there is no fear since they do it only for and on behalf of all the parties. The Bombay Committee is an established association of great reputation and financial stability and I do not think that there need be any hesitation in entrusti the collection work to them. It is easier for them to collect as the lady and the Committee's Secretary are both in Bombay. In order to facilitate speedy recovery it is necessary to strengthen their hands by giving them authority and I think the objection may be withdrawn placing the condition that the collection should be made on behalf of Sri Mutt as well as the other two parties. I would request you to kindly consider the matter and instruct Mr. A. Subbiah Shastriar to withdraw the objection, conditionally as above, at an early date, in which case it is likely the amount will be realised soon, though in instalments as per compromise.

Thanking you for early instructions.

"COPY"

For Muzrai Commissioner

MANCHERSHAW B. CHOTHIA & Co.,
Solicitors,
Mohanlal K. Shah, Chimman C. Shah

Motilal Mansions,
14 Hamam Street,
Fort, Bombay,
21st June 1934.

Messrs. Mulla and Mulla,
Solicitors, Fort, Bombay.

The Bharat Varshiya D. J. Thirth Kshetra Committee and
Phuribai, widow of Gurumukharai, Sukhanand.

Dear Sirs,

In continuation of my letter to you of the 5th May 1933 I hereby inform you that the claim put forward in my said letter is hereby withdrawn and your client Bai Bhuribai, widow of the deceased Gurumukharai Sukhanand is hereby requested to make payment of the moneys lying deposited with her husband to the Bharat Varshiya D.J. Tirtha Kshetra Committee who are the clients of Messrs. Manchershaw B. Chothia & Co.

Yours truly,

For Shri Jain Mutt,
Shravanabelagola.

"COPY"

For Muzrai Commissioner

~~Ind Mulla, Attorneys, for the said widow, in the accompanying form,~~
our clients shall have to make you a party defendant at your costs.

After you write to Messrs. Mulla and Mulla please let us know o
the same.

Yours truly,
Sd/- Manchershah Chothia & Co.

"COPY"

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P-806

Bangalore, Dated, 13th August 1934.

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to your letter No.962/26-27 dated 1st August 1934 re: recovery of Kalasa collections of Mahamastakabhishēka at Sravaṇabelagola, I am directed to state that Government agree with the views expressed in para 4 of your letter under advertance. Necessary further action as indicated in para 5 of your letter may therefore be taken in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

For General Secretary to Govt.

Appendix F G—1]

SUBJECT .....

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.....

Diary No. of letter replied to .....

General and Revenue Secretariat

the *193*

Date of issue 13/8/34

Signed by In N. Rao

List of enclosures .....

Copied by .....

Examined by... .....

Section XIII

File No. 16-31

Serial No. 9

No. P-8041/1.

To

The Mag. Comm:

Sir

With reference to

Your letter no 962/28mg dt 1.8.34

re: recovery of Kalasa Collections of

Mahamastakabhisheka at Sravanabelg

I am directed to state that

~~Your~~ views expressed in para 4 and

~~5 of~~ of your letter under acknowledgement

Necessary further action as indicated

~~are accepted by Govt and to~~

in para 5 of ~~Your~~ your letter

~~request that necessary further action~~

may therefore be taken accordingly

the matter.

I have the

11/8

for Secy

WD 01956—GPB—22,590—12-6-34

1174/34 /28

No. 211.
Encls. —

Office of the Public Prosecutor
Mysore Division
MYSORE 22nd Aug. 1934

GENERAL SECRETARY
23 AUG. 1934

From

THE PUBLIC PROSECUTOR,
MYSORE DIVISION,
MYSORE

To

The General Secretary to the
Government of His Highness the Maharaja of Mysore
Bangalore. (Law Section)

Subject: Proposed suit for the recovery of Kalasa Collections at Mahamastakabhisheka of Sravanabelagola 1925.
Letter No. P.238 dated 12 and 1922.

Sir,

With reference to your letter No. P. 238 dated 12/13 Aug. 1933, the above subject, I have the honour to state that a sealed cover said to contain the original receipt granted to the Swamigalu of Sravanabelagola Matt was sent to this office by the Amildar of Channarayapatna. The sealed cover has remained in my safe custody for nearly 3 years.

I learn that the Government have since decided that the question of recovering Kalasa Collections may be left to the decision of the Swamigalu in view of the Promise made by the All India Jain Thirthakshetra Committee of Bombay, the Mysore Jain Thirthakshetra Committee and Mrs. Bura Bai Gurumukhrai Sukanand of Bombay.

All the records that had been sent to this office from the Secretariat as the District Magistrate's office Hassan was re-submitted to Government along with the draft plaint.

The sealed cover that is in my safe custody may be required by the Govt authorities during their negotiations for the intended amicable settlement with the aforesaid Committees.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

150

General and Revenue Secretariat

Bangalore, Dated 30th August 1934.

No. P 1176

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Public Prosecutor,

Mysore

Sir,

With reference to your letter No.211 dated 22nd August 1934 requesting permission to return the sealed cover sent in connection with the proposed suit for recovery of Kalasa collections at Mahamastakabhisheka of Sravanabelagola, I am directed to state that the sealed cover in question may be sent to the Muzrai Commissioner who is watching the further action in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

Sd/- S. Abdul Wajid,

General Secretary to Government.

Memo No. P 1177 Bangalore, dated 30-8-1934.

Copy of the foregoing is forwarded with compliments to the Muzrai Commissioner in Mysore.

By Order,

for General Secretary to Government.

Appendix F G—1]

SUBJECT .....

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Section

File No.

Serial No

Diary No. of letter replied to .....

No. P 1176/-

To

The PA Mysore

Sir,

General and Revenue Secretariat

( )

the *193*

With reference to your letter no 41 dated 22.8.34 requesting permission to return the sealed cover sent in connection with the proposed sale for recovery of Kalasa Collections at Mahamastakabhisheka of Sravanabelagola, I am directed to state that the sealed Cover in question may be sent to the Mysore Commissioner who is watching the proceedings for such further action in the matter.

Date of issue 31/8/34

Signed by [signature]

List of enclosures .....

Copied by .....

Examined by.....

I have &c

for Secretary

WD 01956—GPB—22,500—12-6-34

M 10 P 1177 Cy